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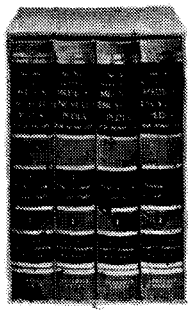

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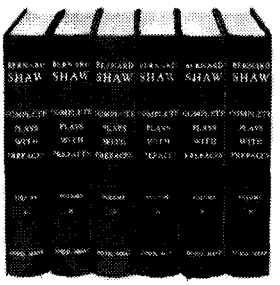

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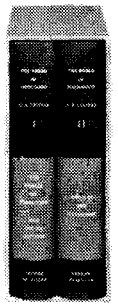

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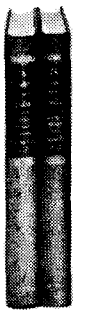

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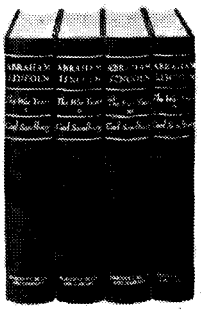

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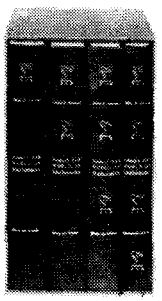

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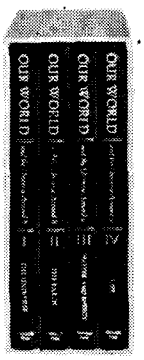

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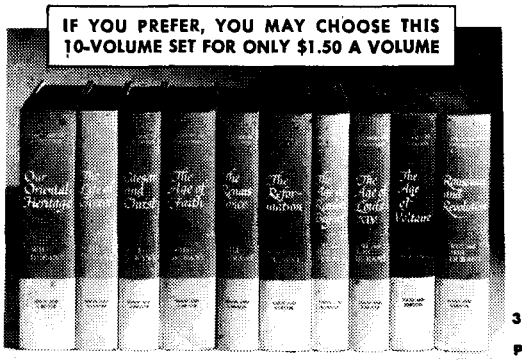

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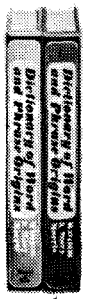

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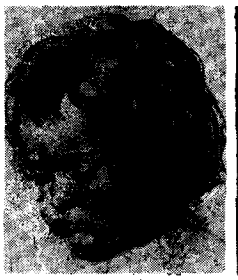

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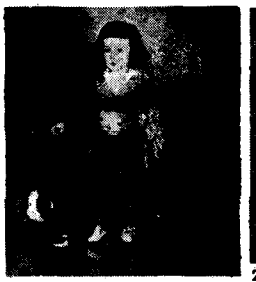

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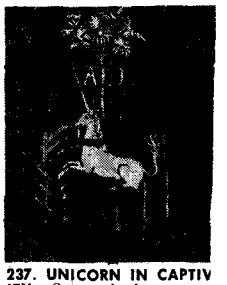

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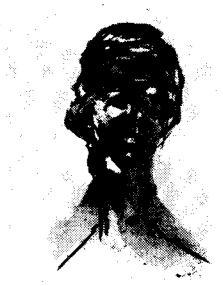

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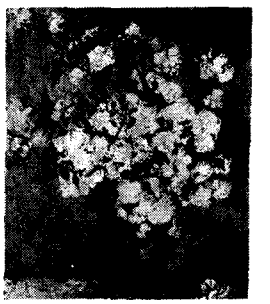

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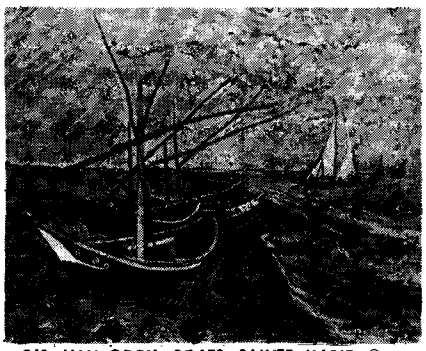

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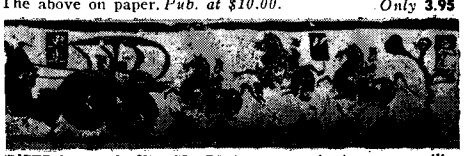

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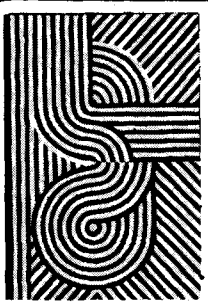

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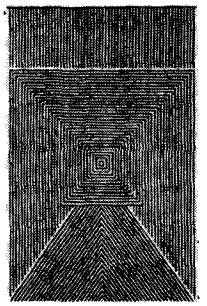

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T.R.B.

from Washington

Off the Track

★ A strange world we live in. America, with all its wealth, finds its dollar endangered. America, with all its might, finds its troops stalemated. America, with all its cities, finds them unsafe. America, with all its pride, finds its president circumscribed in movement.

Mr. Johnson, in an election year, hesitates to travel openly for fear he may be embarrassed or injured by demonstrators. White House reporters are given a couple of hours' notice before a trip and told to pack, they don't know for how long or for what destination. The presidential party when it arrives at a city goes unheralded in unmarked cars through unsuspecting streets and arrives before surprised audiences.

Surely something is wrong. Surely the United States has gone somewhere off the track. But the secretive President holds the cards to his chest and offers a confident face as he makes the critical decision whether to send an additional one to two hundred thousand men to Vietnam. His press conferences have long since been discontinued; even the Senate Foreign Relations Committee can't get solid assurance that its opinion will be weighed before the decision is taken.

We watched Secretary Rusk before the Fulbright committee last week. Nobody won, everybody was unhappy.

Mr. Rusk returned the ball as hard as it was served. He showed steely certitude and kept his temper. Grant his postulate that S.E. Asia falls if Vietnam falls, and that America must live up to every line of every containment treaty spun by Dulles or have its faith questioned, and there is an arguable case. We were fascinated by the big, bald man patiently fixing his gaze at the glittering water pitcher and then answering stoutly. Most of the committee questioned or assailed his premises. A good man defending a bad case, because it is contrary to common sense to imply that we may have to destroy Vietnam to save it; or to think that any other small nation wants to be "protected" by the US at such cost. God save them from such protection.

One man who was sitting pretty at the hearings was Wayne Morse, one of the two who voted against the original Tonkin Gulf resolution (along with Ernest Gruening). "I don't have to explain or alibi my position!" he told the other sheepish senators. In England the government would have fallen that made such a disingenuous presentation as that on Tonkin.

We sense a great shift of public opinion on Vietnam going on, yet how can Mr. Johnson extricate himself from his fix? We are not arguing the morals of the thing but the politics. If he should try to backtrack now he would admit a mistake or defeat and the Republicans would spring on him like wolves; every nation loves a scapegoat. So we guess that the official Johnson policy will be "more of the same."

But you could feel the shift in public sentiment right there in the Senate committee. A couple of years ago they whooped through the Tonkin Gulf business; now there seemed to be only four or five convinced hawks left. Other evidence abounds: Gallup says 49 percent now think the war "a mistake," and 69 percent dream of replacing US soldiers with South Vietnamese.

The Mouse That Roared

★ Then there is the New Hampshire primary and the mouse that roared. Sen. McCarthy glided about the state with an "excuse me" attitude at first, and ended up with 42 percent of the votes! That is about 21 percent more than TRB would have given him when he was up there three weeks before. All of a sudden the curious candidacy caught on. Mr. McCarthy is the pet of the reporters because he is everything that a presidential candidate is supposed not to be and so he is fun to watch: witty instead of shrill, composed instead of noisy, talking sense instead of nonsense.

Then again, all these starry-eyed kids brought into his campaign are attractive, some of the hippies even making the supreme sacrifice of lowering hemlines, or shearing whiskers, for their stately, knightly leader whom they regard as presiding over a sub-station of Camelot. Ah well, it's an odd sight to see a gang of students suddenly wondering if maybe the machinery of the democratic process may be a substitute for withdrawal and pot.

There's a change of US sentiment or when Rocky prepares to enter the fray and when suddenly Bobby Kennedy kindly proposes to relieve Gene McCarthy of the burden of opposing Mr Johnson. But perhaps what impressed TRB most as a journalist is the change in tone of some of our contemporaries

That radical old organ, *The Wall Street Journal*, suddenly came through with an editorial about the mess in Vietnam that sounded like a leader in the *NR* about two years ago. We began looking about among other magazines. *Look* has an enormous circulation with no editorial policy, so there was no use looking *there*. But we noticed that *Time* which puts its editorials in its expletives has dropped a these snide adjectives with which used to transfix the silly critics of Vietnam. And here was *Life* declaring under an editorial headed, "Vietnam Let's not have more of the same," that it's time to "reassess" strategy while "de-escalating." For heaven's sake What would Henry Luce have said and the China Lobby? "The strategic bombing of North Vietnam, beyond the rear of the battleground, should be halted," it said. We are speechless.

Finally, *Newsweek*, which has first columnists both for and against the war, took its own position of advocacy, March 18. All we can hope achieve now is "stalemate," it said America should stop large-scale search-and-destroy operations, "and withdraw its major forces from the sparsely populated borders." A former paratroop commander (evidently a craven) and executive officer of a big Massachusetts management consultant firm (evidently a pinko) once recommended that. Yes, Lieut.-Gen. James M. Gavin that's the man.

We must hunt up some other crusade Our position is getting too popular.

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Welcome Aboard, Bobby

Senator Kennedy's decision, widely accepted as fact as we go to press, to help dump Johnson is an encouraging bit of news, a credit to Mr. Kennedy and a testimony to the persuasiveness of the polls. For it was the polls, in New Hampshire, that plainly confirmed what he doubted before, that a Johnson renomination is not inevitable, that the country wants a change. Last January 30, Mr. Kennedy had said he would not oppose the President "under any foreseeable circumstances." What was unforeseeable is now known: Johnson can be beat. Eugene McCarthy, a stranger to New Hampshire two months ago, received more votes than did Lyndon Johnson. McCarthy did what he said he would do. He talked sense about the most urgent problems of the nation, and he attracted to politics thousands of young people. Practically every professional Democratic politician in the state worked against him. And he walked away with 20 of the 24 convention delegates.

But McCarthy proved more than something negative; that is, Johnson's unpopularity. He proved that courage and intelligence aren't outmoded. The American people are not, at bottom, so cynical, so despairing of the democratic process that they are incapable of responding affirmatively to a man who carries integrity into every room he enters and every word he says. McCarthy, and the response to him, signify a renaissance of national hope and trust. A citizen of Santa Fe, New Mexico, last week wrote his local newspaper and ended with these words (and they have their echo in every state): "We drastically need and should have the mature, talented, sophisticated, gallant leadership of the only completely untarnished contender for the Presidency – Senator Eugene McCarthy. With this appealing man on the bridge and with his intuitive, highly civilized hand on the wheel, our battered but willing ship of state will once again find herself on a sound progressive international and domestic course that will give us all a renewed sense of destiny and historic pride."

Of course there is an immense amount of work to be done in the next five months by those who seek to block Mr. Johnson's renomination. Mr. Kennedy's efforts can be helpful. Had he entered the New Hampshire contest, along with McCarthy, LBJ's 48.5 percent plurality of Democratic votes would have been cut to something closer to 20 percent. The energetic candidacies of Kennedy and McCarthy throughout the country are bound to have a stunning, shattering effect on the Johnson forces. Many Democratic politicians who have

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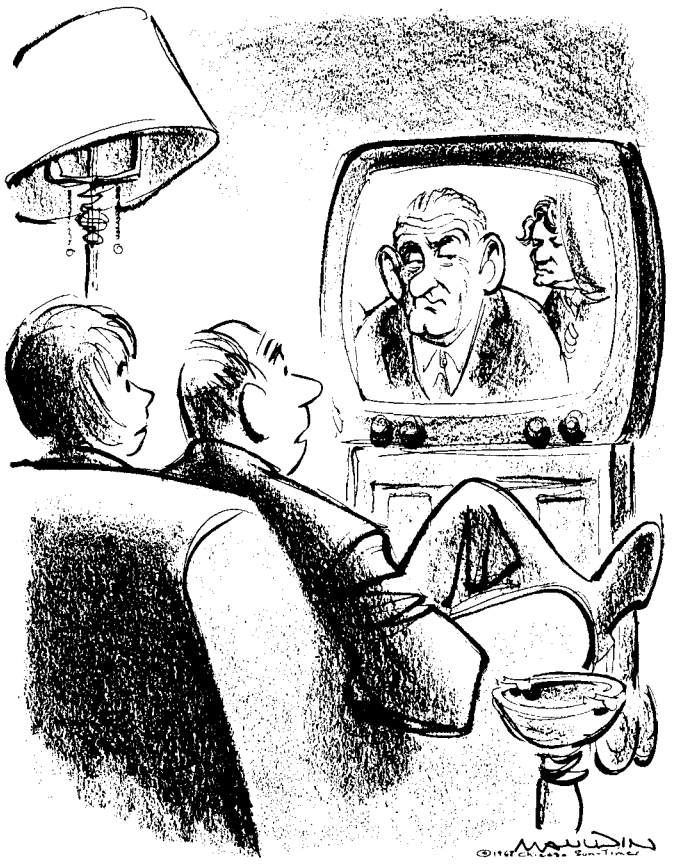
squirmed uncomfortably but kept silent, disliking Johnson and hating his policies in Vietnam but going along nevertheless, worried lest a word against the President be used against them in their own campaigns, may now speak their true thoughts. New Hampshire and Kennedy's conversion to open opposition will liberate many of them – Congressmen, governors, precinct captains – from their fears.

Mr. Johnson cannot be defeated by the primaries alone. His opponents know that. But they know, too, that Democratic opposition to Johnson is not confined by any means to the primary states. Pro-Johnson regulars will have a fight on their hands almost everywhere. Many states will end up sending a divided delegation to Chicago. With Senator Kennedy putting his formidable strength behind this gathering movement to redeem the Democratic Party, Mr. Johnson may, of course, decide that it would be better not to run at all. That decision would be a great service to the country and a blow to the Republicans. But such an act of calculated sacrifice cannot be counted on. What can be is that Lyndon Johnson, along with his miserable war in Asia, has nowhere to go but down.



"Somehow I feel better with Little Brother watching Big Brother watching us."

Senators and the Secretary

The United States cannot win the war in Vietnam. That is what most members of the Senate Foreign Relations Committee seem to have concluded, and their opinion is shared by a rapidly growing number of Americans and America's friends abroad. There is even a possibility of a military defeat at Khe Sanh. Senator Church came closest to uttering that unthinkable thought when he remarked last week to the Secretary of State, at the latter's appearances before the Foreign Relations Committee, that Khe Sanh had better not be another case of General Custer.

Members of the august committee have not doubted the capacity of the world's most powerful nation tc invade, occupy or pulverize small and primitive North Vietnam. Nor has Ho Chi Minh. But the proclaimed aim of the undeclared war was to defend South Vietnam without destroying it or North Vietnam. What ir fact has happened is that American military might ha: flattened large areas of the South, without averting infiltration and takeover by the Viet Cong. If it is nov proposed to invade the North, at further heavy cost ir American and other lives, that is to admit defeat o our war aims. Senator Symington hoped the Senator could make some sense of all this: "It's clear wha we're losing; what do we win if we win?" He neve found out from Mr. Rusk.

Eighteen months ago the senators were beginning t express some of the same doubts. Neither the Presi dent nor his Secretary of State was in a mood to liste to them then, nor are they any readier today. Whe Mr. Rusk came before the Senate Armed Service Committee near the end of August, 1966, two yeai after the fateful Tonkin Gulf resolution, he said tha "the problem still is to find the other side in Sout Vietnam." Khe Sanh suggests it is scarcely the shap of the problem now. The senators foresaw in the sum mer of '66 what might happen. Senator John Stenn pointed out that we had then committed near 400,000 men to Vietnam, in pursuit of a foe Rus declared was characterized mainly by his extren elusiveness. Stennis thought, "we were getting ove committed." Symington was more blunt: "Unless tl states of Southeast Asia begin immediately to react communist expansion, whether from China or guerril forces in their own countries, American efforts o there can only be doomed to some form of failure Not at all, Mr. Rusk replied: "I do not think tl future safety of this country should be left at t disposal of the willingness of others to do things situations that are vital to us."

In 18 months the Secretary has not budged an inc But the senators have, moved perhaps by what M

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Mundt called "the shift of opinion" in the country. The Gallup Poll revealed last week that 69 percent want staged withdrawal of American forces and their replacement by combat-trained South Vietnamese in installments of 100,000 men. The proportion in favor was 58 percent when the plan was first put forward at the end of 1966.

Senator Case beseeched Rusk last week to consider whether our "commitment" really called on us to persevere to the point of destroying South Vietnam in order to save it. Rusk assured him most of the battles were in places where there were hardly any people; the South Vietnamese "infra-structure" was still in place; once the war was won the country would "bounce back fast." Case looked as if he might be going to be sick. And when the Secretary went on to imply that critics of the war were summer patriots, that we must all stand fast and together, the gentle Mr. Case could take no more: "Mr. Secretary, you don't have to persuade this committee, or even me, that it is necessary to be steadfast and patriotic, that it is good to meet commitments, that a nation like the US has responsibilities in the world. You really do not. But there is a line to be drawn between the honorable meeting of commitments and pigheaded pushing in the direction of a course which has become more and more sterile. We are trying to find out which is which, and for myself it seems that a course which more and more is producing agony and destruction for the people we are trying to help and degradation at home requires more justification than has been made and presented for it."

Two months ago, the UN Secretary General, U Thant, told a press conference, "I am still convinced that once the bombing of North Vietnam is ended there will be meaningful talks in the course of three to four weeks." Rusk is not interested. For, he says, if we halt the bombing without getting a pledge of a degree of reciprocity from Hanoi, all that will happen is more North Vietnamese regular troops will pour into the South with more supplies and clobber the 500,000 Americans and 200,000 South Vietnamese combat troops. There are 73,000 North Vietnamese troops in the South and 145,000 Viet Cong, according to Rusk's own figures. The odds therefore do not seem too unfavorable to take a chance on U Thant's being right. The Secretary of State is a great fellow for "weighing alternatives," then calling the one he doesn't like "catastrophic." A bombing halt that did not produce meaningful talks would be a real blow to U Thant's hopes, but it would not be catastrophic. A halt that did produce talks would be a splendid beginning. If there isn't a bombing halt and more Americans are sent to Vietnam, and the North sends more regiments, this country will be no nearer ending the war, far less winning it. Which course is it that points to catastrophe?

Marijuana Law

A few weeks ago in these pages (February 24) Carl Bernstein documented the District of Columbia Narcotics Squad's neglect of narcotics and its growing concern with marijuana, particularly in connection with Washington's "hippie problem." Whether or not the rising frequency of pot busts is turning Washington into a nicer city, however, may no longer be the important question. It is likely that most marijuana arrests in the Nation's Capital are being made under an unconstitutional law.

The law is the Marijuana Tax Act, a federal statute passed in 1937. Conviction for unlawful possession of marijuana under the MTA carries with it a mandatory minimum sentence of two years in prison. The judge is not allowed to suspend the sentence or place the defendant on probation. (Parole was first made available to federal marijuana offenders in 1966.) If the charge relates specifically to a *sale* of pot, the judge must send the violator to prison for at least five years. (The minimum sentences for second offenders are 5 and 10 years, respectively.) The judge may also impose a fine of up to $20,000. The statute is absurd and cruel – a recent MTA prosecution produced an apparent suicide – and responsible citizens, including at least three presidential crime commissions, have for years sought its revision.

The Act's constitutionality has been upheld in the past, but it should be assessed now in the light of two recent Supreme Court decisions reversing convictions under the federal wagering tax law. The statute in question required professional gamblers to register annually with the government and to pay an "occupational tax." They were also supposed to pay a 10 percent excise tax on their bets. The law was designed less to raise revenue than to provide a legal basis for a federal anti-gambling crusade. Because most states have laws against gambling, however, and because the names of people who paid federal gambling taxes were made available to state authorities, the law in effect required gamblers to admit committing state crimes. The Supreme Court held, on January 29 of this year, that the scheme violated the Fifth Amendment's privilege against self-incrimination.

Everything the Court found objectionable in the federal gambling laws – especially in the excise tax provision – can be found in the Marijuana Tax Act. The MTA requires every transfer of marijuana to be accompanied by a written order form. The form, sold by the Treasury Department, comes in triplicate, and contains the names and addresses of both seller and buyer together with the amount of pot involved. The seller and buyer each get a copy; the Treasury Department keeps the third copy for the benefit of state and

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local authorities. The purchaser must pay a tax of $100 for each ounce of marijuana he buys. (Buyers registered with the government as legitimate users – there are very few – pay only $1 an ounce.) The statute says specifically that possession of marijuana and failure to produce a Treasury Department order form create a "presumption" that the tax had not been paid. Like the gambling tax law, the MTA was not enacted to make money (although last year it swelled government coffers by $177,000) but to make the sale and possession of marijuana a federal offense.

Every state in the union (and the District of Columbia) has made it a crime to possess marijuana except for medical, research, or other "legitimate" reasons. Any non-legitimate user who purchases an order form from the federal government and pays the federal tax necessarily admits violating state law. If the federal gambling tax contravened the Fifth Amendment, then so does the MTA.

The Supreme Court's January decisions are notable in two specific respects. First, the Court had previously upheld tax laws like those covering gambling and pot on the theory that they didn't really *compel* anyone to incriminate himself. A prospective criminal, after all, can always decide to obey the law. If he opts for crime knowing that the tax laws will require him to tell all, then his decision to be a witness against himself is purely voluntary. The Court finally acknowledged the unsoundness of this reasoning. It admitted that it makes no sense to consider the privilege against self-incrimination in relation to a man deciding whether or not to break the law, but only in relation to a man who already *has* broken it.

The second point concerns an old legal notion that documents required by the government in connection with a system of public regulation do not violate the Fifth Amendment's guarantee. The Court interpreted the "required records" doctrine very carefully in January, explaining that it applies only to the sort of information "customarily kept" by those engaged in the regulated activity; that the records must have "public aspects" (the government's desire to see them is not enough); and that the doctrine had been formulated (in *Shapiro* v. *United States*, a 1948 case) in "an essentially non-criminal and regulatory" context. Wagering tax records, the Court said, do not satisfy these criteria, and do, therefore, fall within the privilege against self-incrimination. The same can be said for the documents required by the MTA.

An invalidation of the MTA would not put the D.C. Narcotics Squad out of business. Local ordinances, usually ignored up to now in favor of the Draconian federal law, provide an ample arsenal for the War on Pot. The Narcotics Vagrancy Act, for example, permits a policeman to arrest anyone he has "probable cause" to believe is an unemployed "narcotic drug user." (In D.C., as in most jurisdictions, marijuana is a "narcotic drug" in the blindfolded eyes of the law.) Washington also has the Uniform Narcotic Drug Act, prohibiting the manufacture, sale, or possession of "narcotic drugs" (including pot) except for medical purposes. Under both statutes, however, the first offense is a misdemeanor carrying a maximum sentence of a year in jail and a fine. The judge has discretion in meting out punishment.

JEFFREY SHANE

The Gold Rush

President Johnson risks a collapse, this year, of the highly successful international monetary system if he decides to send 100,000 or more additional American troops to Vietnam. The system has been a little understood, but essential, lubricant for two decades of the most spectacular prosperity the industrial world has ever known.

No one can say exactly what a breakdown of the system would mean, internationally or domestically. A few people, including the French government, think it ought to break down. But the great majority of responsible government officials here and abroad believe that, at the least, a disruption of the present system of links among currencies, backed by the link between the dollar and gold, would mean a sharp drop in world trade. At the worst, it could bring a worldwide depression, with inevitable repercussions in the United States.

The system is already under its greatest strain, caused by the persistent balance of payments deficits of Great Britain and the United States and the recent devaluation of the pound. The gold and foreign exchange markets are extremely jittery, and the past week has seen a revival of the gold rush in Europe, based principally on doubts that the US can or will solve its international payments problem, particularly with an expanded war. An additional step-up in the American ground war effort in Vietnam could very easily be the straw that breaks the camel's back. The reason would be a certain enlargement of the foreign exchange cost of the war, the US balance of payments deficit and the resulting outflow of US gold.

There is no escaping this risk. No controls at home, no amount of higher taxes would avoid the balance of payments effects of a larger war effort. And men of the greatest goodwill for the United States, men of sobriety and moderation, are convinced that the world monetary system cannot stand even another year or two of major American payments deficits.

It is not known whether anyone is telling the President this as he ponders the troop decision. Perhaps if they did he would weigh this risk among others – and take it. But if he does, he is not only risking the lives

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and possibly the well-being of Americans. Very deeply involved in the successful continuation of the present world system are Dutchmen and Japanese, Canadians and Italians, Swedes and Englishmen.

The President would never purposely endanger the monetary system, of course. He has made clear his commitment to its continuation and his Secretary of the Treasury, Henry H. Fowler, has worked mightily, and in part successfully, to improve it. But someone had better tell the President, in so many words, that if he puts into Vietnam the number of troops that now seem required to restore and improve the situation there, he may throw away the fruits of a generation of brilliant economic progress. One more big American deficit, and a final, convulsive gold rush is a strong possibility. And when we stop paying out gold, the chaos begins. All international currency values will be in doubt.

The least one can ask is that the President weigh this, too, in the scales.

Edwin L. Dale Jr.

Will Industry Provide The Needed Jobs?

Washington

When C. R. Smith was sworn in the other day as the new Secretary of Commerce, he promised to give top priority to finding jobs in private industry for the nation's hard-core unemployed. Everyone wishes him well. The assignment will test his talents.

The vehicle that Smith will use to find jobs for disadvantaged citizens is the new Job Opportunities in Business Sector (JOBS) program that President Johnson launched in his manpower message to Congress last January. It aims to put 100,000 hard-core jobless to work by June 1969 and another 400,000 by June 1971. Meantime, it will seek to cool urban ghettos this summer by finding 200,000 temporary jobs for idle youth. No one in the Administration really knows whether these goals can be achieved.

The theory is that private business can be enlisted to provide jobs for the disadvantaged – most of them Negroes – if the government picks up the tab for the added costs the companies incur. The government will contract with the companies to hire, train and permanently employ the hard-core jobless at a cost that would average $3,500 a man. If business does not meet this responsibility, the government will have to become "employer of last resort."

This is a relatively new venture for the government, and the record of its most ambitious such effort to date doesn't offer much encouragement. That record is being written by the Concentrated Employment Program, which pulls together several federal agencies to search out the hard-core jobless and provide the necessary training and aid to get them work. The Concentrated Employment Program began in 20 cities and two rural areas a year ago and it is due to be expanded to another 124 cities. The Administration predicted that 25,000 to 40,000 jobs would be created within six months and at least 100,000 by the end of this fiscal year, half of them in private industry.

The program's administrators have found, however, that it is far more difficult than they ever imagined to prepare the disadvantaged for work and keep them at it. Cooperation from business has been far from good. Through last January 26, the program had placed less than 9,000 people in jobs. In New York City, for example, less than 100 have been placed. That is not a very promising record when it is considered that the new JOBS program seeks to obtain jobs, or pledges of jobs, for more than 18,000 people in New York City by this September.

The JOBS program should have a better chance of success, of course, because it compensates companies for added costs and provides a direct link to a job. Nevertheless, experience with two pilot projects for the JOBS program indicates a rough road ahead. The first of these pilots began last October under the direction of William Zisch, vice chairman of Aerojet-General Corporation, which has set up a successful tent-making plant in the Watts district of Los Angeles. Zisch, before returning to Aerojet last January, said he had lined up about 85 proposals that would create around 18,834 jobs and easily use up the $40 million made available for the project.

The tedious work of negotiating contracts based on those proposals is still going on, and the results are far less promising than Zisch's predictions. Manpower Administration officials said they have signed six final contracts, seven letter contracts and four letters of intent so far. These agreements would create 5,000 jobs at a total outlay of $8 million.

The Administration has followed up the Zisch test program with another $40 million project that is serving as a prototype for the JOBS program in five cities. Begun in January, it has produced 61 proposals that would create more than 3,500 jobs.

There is no question that many companies, in such industrial centers as Detroit, have become more willing to provide jobs for ghetto dwellers since last summer's devastating urban riots. But there still is widespread reluctance among corporate leaders to get heavily involved in federal job programs. Some of this reluctance stems from a disinclination to get wrapped

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up in federal red tape. But perhaps an important factor is a suspicion among many businessmen about the timing and hoopla surrounding the President's new JOBS program. "Most people think this is a political maneuver for 1968," said one Chicago executive who has worked on ghetto problems. "They're alert to the fact that it's a happy coincidence – it's an election year and along comes this program."

"Lots of promises have been made to the Negroes by the government," said another businessman. "Now they're making promises on business' behalf. If anything goes wrong, they'll point their fingers at us."

President Johnson is seeking to erase this skepticism through a new National Alliance of Businessmen, an organization of 15 top business leaders that will help implement the JOBS program. The alliance is headed by Henry Ford II, chairman of Ford Motor Company, and it has enlisted some of the biggest corporate names in the nation to provide jobs in 50 cities. But will corporations really step up to the problem in the magnitude required, however, unless there is a profit motive, as is the case with defense work? The Administration has hinted it will be liberal in negotiating JOBS contracts with companies, but it has said flatly that no profits will be provided.

"Private industry will accept some of the hard-core burdens, but it is naïve to expect that industry can accept large numbers of individuals for hard-core employment without subsidy and incentive when the responsibility of management is to widely use capital to produce profit," said William Caples, a vice president of Inland Steel Company. "In short, we must make it profitable for private firms to train and employ the hard core."

Even with strong support from business, however, providing 500,000 jobs for the truly hard-core jobless over the next 3.5 years would be no easy task. Manpower authorities have found that the disadvantaged have unbelievable health and social problems that must be remedied. Because they lack work experience and motivation, most require intensive counseling and tolerance from supervisors if they are to make the grade. Most companies have been unwilling to assume those burdens. One Midwestern firm that agreed to go along hired eight hard-core jobless on an experimental basis in late 1966 and early 1967. None of the workers is still on the job. Three were fired for poor performance or high absenteeism, four quit and one was drafted. Average tenure: 2.8 months.

One of the most widely hailed efforts has been Jobs Now in Chicago, which seeks to place the disadvantaged after a two-week orientation program. Of 1,992 during the first year, 551 dropped out during orientation. Of the 1,441 completing orientation, 1,056 went quickly to jobs. At the end of the first year, only 28 percent of the 1,441 were still employed.

"The successes are painfully slow," says Walter Palmer, director of human relations for the Associated Industries of Massachusetts, a state manufacturers' association. "You are dealing with motivational, psychological and even transportation problems, which most companies did not have to deal with in the past."

Many manpower authorities believe that the President's program is far too modest. The National Advisory Commission on Civil Disorders, for instance, called for a massive program to create one million jobs in the public sector and another one million in the private sector within three years. The commission pressed for an "income supplement" or "guaranteed annual income" that would guarantee every citizen a minimum decent standard of living. The President has chosen instead to pursue his present course. He was influenced, no doubt, by the high placement rate – around 90 percent – achieved in previous federal on-the-job training projects. "We came to the conclusion that we really ought to give this a whirl in the private sector with everything we had, to see whether or not they can pick it up – or to what extent they can pick it up," remarked Joseph A. Califano Jr., a presidential assistant.

A top official of the new JOBS program, aware of the obstacles, sat in a restaurant here a few days ago and discussed the fledgling project. Did he *really* think that business was prepared to employ 500,000 hard-core jobless over the next three and one half years? "I don't know. All I know is that those are the dimensions of the problem."

One thing that distresses thoughtful manpower experts is that this private candor is not often matched by public candor from the Administration. The truth is that government and business have only lately begun to experiment with techniques for employing the hard core, and no one knows how successful they will be. The Administration tends to favor optimistic reports and barrages of statistics about the hundreds of thousands of people its programs are reaching. For instance, President Johnson said in his recent manpower message that he would seek to increase manpower spending by 25 percent to a record $2.1 billion in fiscal 1969. What he did not say was that he also was cutting back on the Neighborhood Youth Corps, the Job Corps, and on funds for the summer works programs for the cities.

No one expects the Administration to work miracles. But the JOBS project has been wrapped in such election year hurrah that a ghetto dweller might be forgiven for thinking that the 500,000 jobs are assured. If his expectations are once again frustrated, what then?

DAVID R. JONES

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McCarthy

Mr. Clean Makes It In New Hampshire

Manchester

Even as New Hampshire's Democrats were moving quietly in and out of hundreds of polling booths to give Sen. Eugene McCarthy a hefty pat on the back plus all but four of the state's 24 elected delegates, the last shrill notes of President Johnson's panicky supporters were filling the airwaves. The final voice was that of Sen. Tom McIntyre, known in Washington as a mild-mannered "liberal" who can be counted on when the roll call is read on domestic legislation. In strident tones, McIntyre was insinuating that McCarthy would affront our fighting men by honoring draft dodgers. Earlier, Gov. John King had warned that a McCarthy victory would be greeted by cheers in Hanoi. Still another radio spot opened with the warning that "the communists in Vietnam are watching the New Hampshire primary."

Ironically, it was a long-time critic of both McIntyre and King, the militantly right-wing Manchester *Union-Leader* of William Loeb, that quickly spotted a kindred spirit and, in glowing terms, praised the governor for indulging in the "right brand of McCarthyism" – Joe McCarthyism.

For millions of others, it was an ominous early warning that LBJ's supporters, with at least tacit approval from the White House, have opened a new "gap" – the "morality gap." But if New Hampshire (and, earlier, Minnesota) prove typical, LBJ may have to take Marvin Watson's telephone privileges away from him and invent some new tactics. For as returns poured in here on Tuesday night, it became clear that the "vital center" – "moderate" Republicans, independents and middle-class Democrats – had reacted strongly against the smear campaign and, at the same time, had found Sen. McCarthy's demeanor to their liking. In some middle- to upper-middle-class wards carried by Sen. McCarthy, as high as 25 percent of the Democratic vote was composed of "independents" who switched over. He also got good GOP write-ins in similar city wards.

The traditional allegiances of Manchester's huge Irish and French wards were not to be shaken, however. There the responses range from loyalty to the money politics of the ward heeler to the whole syndrome of Cold War neuroses, climaxing in the fear that anything short of unquestioning loyalty to the war effort constitutes something less than full support of "our boys" in Vietnam. Nevertheless, McCarthy managed to pick up 30 percent of the Manchester vote, far above earlier estimates.

But it was his strength in towns like Nashua, where he closed the gap, and Concord, Hanover and Portsmouth, which he carried, plus the dozens of small towns that gave him a majority that upped his percentage to 42. Here, the Democratic voter moves into the middle-class mainstream. The whole pattern, highlighted by New Hampshire but emerging all over the country, serves to emphasize what Walter Lippmann observed recently – that Sen. McCarthy is fighting for the "soul of his party."

LBJ's strategy for 1968 predates New Hampshire. It will be a carefully paced appeal – alternately frightening and reassuring the voters – to a new coalition made up of the military-industrial-labor complex (to finance it), the faceless machine Democrats in the urban centers of the North (to run it) and "Mr. Average Joe," to use Richard Scammon's term, supplying the votes as LBJ plays upon fears of crime and communism. Add to this the rank-and-file Negro and Latin minorities, who identify most of the good that has happened to them with Democratic Administrations and who may have nowhere else to go. There will be no quarter given those who dissent, aloud.

There are clues everywhere – Clark Clifford, the famed Washington lobbyist and party pro, named Secretary of Defense; LBJ's strong pitch against "crime in the street" in his State of the Union Address; his pouting reaction to the riot commission's strongly-worded indictment of white racism.

The "pledge card" technique, which backfired in New Hampshire, is typical of what to expect. It involves a pledge of allegiance, even before the issues are developed in the normal course of a campaign. That's standard operating procedure for Texas-style politicians. Houston's Billie Carr, a leader among the "liberal" Harris County Democrats, tells a story that illustrates the Texas origins of the technique of demanding prior pledges. She recalls that in 1964 she was named to the 62-member Democratic State Executive Committee by Gov. John Connally, LBJ's number one protégé back home, as his single concession to the "liberals." At her first meeting, held the day Gov. Connally was inaugurated for his second term, a motion was made to endorse Connally's program. Mrs. Carr, a bit puzzled, rose at her first meeting to suggest it might be nice if the program was read to members of the committee before they voted on it. As she tells it, Gov. Connally stood up to patiently explain that it was only Monday and he hadn't

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planned to release his program to the press until Thursday, and if he read it to the delegates it would only leak out and ruin the entire effect. So Mrs. Carr moved they meet again on Thursday to consider the governor's program, which prompted one of Connally's buddies, since named a judge, to lean over and say: "Mrs. Carr, must you always be so difficult?"

The committee promptly endorsed the governor's program, sight unseen, by a 61-1 vote.

Mrs. Carr recalls the horror of two school teachers on the committee when they learned the program included a plank against raises for teachers.

In his efforts to control Houston politics (it's a city of over a million), Gov. Connally has handpicked a 10-member steering committee drawn from the upper echelons of Houston's fantastically wealthy business community. This committee, which meets informally about once a month, decides who will get the support of the "Establishment," bypassing completely the party organization and grass roots voters. On his committee, Gov. Connally has attorneys from the huge law firms with over 100 partners and associates (they deal in oil, real estate and securities, the three pillars of Houston's wealth), a man from American General Insurance, another from Brown and Root, etc. National Chairman John Bailey can live with this sort of thing and like it. But that's not true of today's young.

Illinois provided another example of the LBJ-style when Mayor Dick Daley, after closeting himself in a North Shore apartment all day Sunday and keeping in close telephone communication with Washington, decided on Tuesday to pass up the chance to groom a potential national leader – Adlai E. Stevenson III – because Stevenson couldn't bring himself to take an oath of allegiance to Johnson on Vietnam. Candidates for such major offices as county coroner and the sanitation board did. Mayor Daley was probably relieved. The possibility of again controlling the patronage of the county board chairman (it's greater than the governor's) should the current board chairman, Dick Ogilvie, be elected governor on the GOP ticket (the Democrats control the county board 10-5 and would name the replacement), was more tempting than grooming a national leader.

No one may go half-way with LBJ. Witness Tilford Dudley, who was removed as chairman of the District of Columbia Democratic Central Committee after his anti-war views were publicized.

The tendency of Johnson supporters to play around with Mr. Loeb's "right brand of McCarthyism" destroys the reputation of men like Sen. McIntyre, who will never again stand as tall in the eyes of his colleagues. (Sen. George McGovern charged on the Senate floor that the "communists are watching" ads are the "tactics of Hitler's Germany and Stalin's Russia"). Such tactics also make it difficult for serious candidates to grapple with problems that are troubling the voters. For instance, McCarthy is acutely aware that the majority of college students are deeply troubled by the moral problem of serving in a war to which they object. He has suggested that a system of "selective conscientious objection" be tried, and that those who have fled the country could be granted some form of amnesty if they returned under such a system (but not exclusion from the system). LBJ's managers seized upon this effort to deal with a serious problem by questioning McCarthy's patriotism.

Earlier, in last month's special election in Brooklyn, regular organization captains had peddled "communist" and "anti-Israel" charges door-to-door to defeat Mel Dubin, a "pro-McCarthy" peace candidate running as an "independent." A heavy contributor to almost every Jewish fund drive that comes along, Dubin also has a plant in Israel and has been there four or five times. Still, the charge was used in a heavily Jewish district.

The corrupting thing, as Sen. McIntyre is finding out, is that under LBJ and his coalition, people who have traditionally stood apart from such tactics find themselves working shoulder-to-shoulder with those who take them for granted. In the Dubin race, for instance, the ILGWU, which helped build New York's Liberal Party to offset machine corruption, put hundreds of workers into the field on election day to work with the pro-Johnson regulars.

A great part of Sen. McCarthy's appeal is the contrast he offers. As Sandra Hoeh, 2nd congressional district Democratic chairman in New Hampshire explained on election night, it wasn't only dislike of LBJ and disgust with the tactics of his team but "a feeling for Sen. McCarthy as a man" that brought out his heavy vote. As a man and a candidate, he *is* bringing out the best in his supporters, young and old, and demanding the best of our electoral process. It was shown in every population center in Minnesota where the wards flocked to precinct caucuses. With only a couple of exceptions, pro-McCarthy delegates were selected by top-heavy margins up to 3 and 4 and 5 to 1. That wasn't just a revolt of the youth (nor was it in New Hampshire). It went right up the ranks through workingclass districts, upper income areas, embracing not only Minneapolis and St. Paul and their suburbs but outlying communities.

It is no secret that many of the college students who swarmed over New Hampshire and submitted to the "Clean for Gene" rules (no beards, long hair, mini-mini skirts, flowers in hair, etc.) came with visions of a Robert F. Kennedy candidacy still tugging at their hearts. Once there, they found a candidate

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who didn't shout at people, demagogue an issue or retreat into any cult of elitism. Their loyalties have been solidly transferred.

Across the country, the student "image" has been under attack for several years. Too much pot, too many beer riots, too many anti-war demonstrations. New Hampshire has changed that. One of McCarthy's favorite quotes from Dylan Thomas could be the theme of thousands of Democrats concerned with what is happening to their party and aware of the consequences if LBJ is renominated and reelected with the support of his new "conservative" coalition: *"Do not go gentle into that goodnight."*

Paul R. Wieck

Bureaucracy and Highway Safety

The National Highway Safety Bureau is currently letting dozens of contracts to find methods to improve highway safety. Bureau officials complain about the lack of engineering developments in this field. But the Highway Safety Hearings of 1967 showed that the obstacles to improving safety on the road are often not technical at all, that there is much highway safety hardware already around that has never been used.

The story of the Isle-Guard Median Highway Barrier is an example of how vested interests, personality conflicts, and bureaucratic torpor block effective inventions. Invented by Henry Such Smith of Bayonne, New Jersey, the Isle-Guard is used to separate traffic on narrow roadways and bridges. Its smooth steel surface, encasing concrete, coupled with the particular angle it makes with the roadbed, guide the tires of a side-swiping vehicle back into the flow of traffic without any spin-out, slow-down, or damage to the vehicle. The barriers which state highway departments use to separate traffic on narrow roadways have a high-friction concrete surface which causes accidents or increases their severity – vehicles either crack up on the barrier itself or spin back out into a collision. The Isle-Guard, however, has virtually eliminated accidents at the one place it's been used: the narrow and heavily travelled Willis Avenue Bridge in New York City.

After the Isle-Guard has been in place there seven years, Royal Riley, Public Information Director of New York City's Department of Public Works wrote, in 1965: ". . . Concerning the effectiveness of the Isle-Guard . . . since its installation on the Willis Avenue Bridge no accidents have been reported, whereas theretofore a number of collisions of varying degrees of seriousness were recorded annually. . . . It has been the observation of our bridge tenders that the barrier is equally effective in deflecting every type, size and weight of vehicle in general use today."

Smith demonstrated the Isle-Guard on the Willis Avenue Bridge to Fletcher Platt, Manager, Traffic Safety and Highway Improvement Department of the Ford Motor Company. Platt later wrote, "I was extremely impressed by the dynamic demonstration given by Mr. Smith as he drove the car into the barrier at approximately 20 degrees at 30 mph. Not only was Mr. Smith able to remove his hands from the steering wheel before impact, but the car was directed by the barrier parallel to the line of traffic. . . . This demonstration was probably more impressive to me because of my experience in witnessing many crash tests at our Ford Motor Company track, where a 30 mph crash at right angles against a barrier can result in decelerations of 25 to 30 g's. I have described my Isle-Guard demonstration to a number of people and have said, 'You have to see it to believe it'."

Similar praise came from Kenneth A. Stonex, chief safety engineer for General Motors, and Robert A. Wolf, Head of the Transportation Research Department of the Cornell Aeronautical Laboratory.

After Senator Harrison A. Williams of New Jersey underwent a test crash into the barrier, he decided to try to help Smith in his continuing efforts to get the Isle-Guard installed in New Jersey. Rep. Richard Ottinger (D.,N.Y.) also became an enthusiastic supporter after a test crash.

Smith has been negotiating with the New Jersey State Highway Department to put the barrier on the narrow Route 22 viaduct over Frelinghuysen Avenue in Newark. Though the price is right ($.82 cheaper per lineal foot than the New Jersey Department's own barrier) negotiations with the New Jersey Department have been stalled for three years. The nub of the problem is that Smith wants to retain complete control over his invention by being the prime contractor on the job. The New Jersey Department says that in order for Smith to be the prime contractor he must meet state standards with respect to financial security, equipment, and experience. Smith probably cannot meet these requirements, and the New Jersey Depart-

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ment refuses to exercise its discretionary power to waive them. Neither side will give in, and the motorists who pile into each other on the Route 22 viaduct and similar new and old roadways around the country are the losers.

Smith's demands may be unreasonable, but the relevant policy question is whether New Jersey has done everything it can to bring the barrier into use. Idiosyncratic inventors come and go, but agencies like the New Jersey State Highway Department remain, clothed with a public responsibility. Their procedures should be flexible enough to bring life-saving inventions into public use, if at all possible, despite any difficult demands of inventors.

New Jersey State highway officials have made no efforts to break the impasse. As negotiations with Smith bogged down, department officials reversed themselves and began to deny the Isle-Guard's usefulness. In response to an inquiring letter, Dwight R. G. Palmer, Commissioner of the New Jersey State Highway Department wrote in the fall of 1965, ". . . The Route 22 overpass is too narrow for any divider so we are, until a duplicate structure is erected, devoting ourselves to other reliefs for this route."

This statement is amazing, because at that time Palmer had been negotiating with Smith for over a year to put the Isle-Guard on the Route 22 viaduct. Moreover, it's well established in traffic safety literature that parabolic-shaped dividers such as the Isle-Guard *increase* effective driving space. Drivers shy away less from them than from a simple paint line, which provides no protection from oncoming traffic.

Nor have appeals to New Jersey Governor Richard Hughes helped. In response to a letter from a man whose wife was killed on the Route 22 viaduct, Hughes simply reiterated the department's position that Smith would not comply with regulations. Hughes further noted that the Stevens Institute of Technology in Hoboken was studying the problem of center barriers. The Stevens study completely ignored Smith's barrier. Though the same New Jersey Highway Department officials who had dealt with Smith, Dwight R. G. Palmer and Russell H. Mullen, had also let the contract to Stevens, Stevens Institute researchers never got in touch with Smith to include the Isle-Guard in the study. The fact that Smith and the department cannot come to terms hardly seems reason to ignore Smith's barrier, since the purpose of the research is to study the state of the art in highway barrier design. The three-year Stevens study was an admitted flop. Mullen said upon its completion that New Jersey was no closer than before to the development of a "safe, effective barrier." For purposes of the study, Mullen and Palmer had simply denied the existence of Henry Such Smith.

Smith met this same resistance to an inventor who's outside the highway safety establishment from the New York State Department. Smith demonstrated the Willis Avenue Bridge (which is under city rather than state jurisdiction) to Malcolm D. Graham, Director, Bureau of Physical Research New York State Department of Public Works. Graham later wrote to a friend of Smith's that the Isle-Guard was "very effective at redirecting the vehicle under the conditions at which it was tested." When Graham was later asked whether the New York Department knew of any barrier superior to the Isle-Guard, George W. McAlpin, Deputy Chief Engineer replied for him in May of 1964, ". . . The barrier designs that *we* are currently using are good designs; *we* have actively pursued a program of barrier research that has been productive; and, *we* will continue to modify *our* designs to take advantage of significant research findings and objective observations by *our* field forces." (emphasis supplied.)

A year later the New York Department commenced a series of crash tests on highway barriers. Graham, in charge of them, said the purpose was to develop a barrier that would reduce injury to passengers and decrease damage to vehicles when they collide with barriers. Graham said, "The barriers are designed to yield sufficiently to temper impact and to deflect the striking vehicle back into its driving lane." Smith was never asked to include the Isle-Guard in the tests.

Other states and the American Association of State Highway Officials have ignored the ready protection offered by Smith's barrier. States have traditionally set safety standards for highways, even those overwhelmingly funded by the federal government. The Bureau of Public Roads has known about the Isle-Guard for nearly a decade but has not used its close relationships and leverage with states to prod them toward such highway designs. In response to a question by Senator Robert Kennedy about the Isle-Guard, Dr. William Haddon, head of the National Highway Safety Bureau, said that the Isle-Guard has the approval of the Bureau of Public Roads and would be favorably considered as part of a state's proposed safety improvement program. Thus the initiative is passed back to the states.

People are killed every week all over the country by death-dealing highway guardrails and barriers. Smith's invention, like many others in the highway safety field, has been cast aside by a state administrative structure that cannot or will not respond to outside innovation.

DANIEL POSIN, JR.

MR. POSIN *received a Master's Degree in Economics and a Law Degree from Yale University in the Spring of 1967 and now lives in Washington, D.C.*

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Busted

by Stephen Koch

The "gap" between myself and the protesting young . . . is only as deep as my furrows compared to the chasm separating me from anyone who can be so mendaciously mouthed to. . . . In fact, as the Sunset Strip, that dry Ganges for Hippie Holies . . . is only a few steps from me, I shall probably apply for membership among the young Hindus myself. As for their elders, it hardly seems to be worth asking whether they know what became of humanity.

—Igor Stravinsky, *"On Manners, Music, and Morality"*

The New Republic has told ("Fighting Crime," February 3) how, at five o'clock in the morning on January 17, 72 Suffolk County (Long Island) Police cars carrying 198 police armed with everything, including shotguns, rolled onto the campus of the State University of New York at Stony Brook. The police ran through the dormitories, smashing into rooms and ransacking them, yanking hundreds of students from their beds to interrogate and generally terrorize them until they had slapped 28 students and 18 non-students into handcuffs and led them to prison – patiently waiting, however, for sunrise, so that the huge crowd of "media representatives" whom they had earlier invited, briefed, and then personally escorted to the scene could get lots of nice nasty pictures in the dawn's early light. (The police also made sure to bring the photographers along while they were ripping up the rooms: naked kids being dragged out of bed, long haired and dopey with sleep, or was it – slurp, slurp – *dope?* Luscious on TV. Very kicky in *Newsweek*, where some of the pictures appeared.)

The cops also got plenty of their own "official" photographs in the kids' rooms, so that they could prove the existence of such incriminating objects as peace posters and abstract art – which were confiscated as evidence. One student, as a police undercover agent somberly testified, was thus proved to own a large collection of books. Another, he sepulchrally averred, slept on a mat, not a bed. He seemed to think that was prima facie proof of criminal aberration. Later in the day of the raid, the police entered several classrooms where final exams were being held and led out still more victims, handcuffed. ("Ah, now then, students – to return to question three. . . .") All of these students have been charged with a variety of violations of New York drug laws, some of them very serious indeed.

But there was more to come. Nine days later, February 26, I and eleven other teachers at Stony Brook, along with President John Toll, dean of students David Tilley, and other administrators, were subpoenaed to appear before the New York Legislative Committee on Crime, its Causes, Control and Effect on Society (note how linguistic and ethical absurdity crash together in *that* title). The committee's stated function (har, har) was to gather information pertinent to drug legislation, though it at no point allowed any legislative concern to interrupt the raucous lunge for sensational publicity which constitutes its reason for existence. The committee chose its witnesses for the eminently political reason of its own publicity, rather than any real desire to understand the "situation out there."

To begin with, most of us have a certain sinful look. I am well under thirty and wear my hair fashionably long. One of us (the best beard of all) is politically activist; another – Allan Kaprow, whom the committee eventualy released from his subpoena – is a founder of those insane (probably orgiastic) Happenings; (he too, is hirsute). Since we are young, our students gossip about us more than they do about older teachers, and since we have that certain look, the police probably sent their undercover agents into our classrooms, there to hear things which might very well shock the average police undercover agent.

The committee pinned us to the wall with a double prong: the certainty that they would use smear tactics, and the probability that they would force us to betray students who might have taken us into their confidence. Adolescence is indiscretion, and contrary to myth, students frequently respond to a sympathetic adult ear with torrential personal confidences. The legislative committee could be fairly sure that some of us, at least, might be privy to information that might advance the Suffolk County District Attorney's announced intention of sending more of our students to prison. My sins are many, but being a police informer is not among them, and the group agreed (consonant with AAUP rules) to hold all our discussions with students as inviolable professional confi-

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dences, like those of a doctor or lawyer.

As to the smear tactics, some of us considered testifying freely on all matters other than student confidences, until we got wind of the reckless malevolence we confronted, particularly from the police. For example, an apparently coached police undercover agent delivered a wild piece of untrue, hearsay evidence against one in our group – testimony so hysterically improbable that only the *New York Daily News* could take it seriously. (It was promptly refuted, by the way, though the committee didn't trouble to acknowledge, publicly, the refutation, even for the record: "This is not a legal proceeding," as Senator Hughes remarked, speaking better than he knew.)

Then there is the story of Professor John Herr. For reasons that are still unclear, Herr, the former assistant dean of students, went to the police, reportedly in the middle of the night following the raid, and tape-recorded a three-hour diatribe against his former superiors in the dean of students' office and against certain faculty members – probably those of us called before the committee. In the presence of the Chief of Police, the District Attorney, and the Chief of the Narcotics Division, he was promised that the tape would never be used for anything but investigatory purposes. This promise was of course betrayed. When Herr took the stand, the committee counsel began to read aloud from a transcript of the tape, asking him to verify the quotations. Herr reeled. He couldn't believe it. His hand kept tugging at his necktie, he kept licking his lips. No one present knew the tape existed, except the committee members and Herr. When asked by his (and our) lawyer – the remarkable Jeremiah Gutman, who had particularly distinguished himself before HUAC – where the committee counsel could have gotten such quotations, Herr told Gutman that the police must have tapped his phone. The language was hysterical. I thought it sounded almost as damaging to Herr as to whomever he happened to be attacking. Herr prevaricated, evaded, claimed not to remember saying what he had said, insisted that the *Kiss Me Deadly* style language "certainly doesn't sound like me," and finally he repeatedly denied the plain facts, evidently still under the impression that since he had been so "cooperative" they couldn't *really* betray him. They could and they did. When Herr left the stand, the committee counsel requested permission to play the tape, and Herr was thenceforth in the committee's hands. He was immediately forced to dismiss his counsel, Mr. Gutman. Later the committee, in its benevolence, accepted the full tape as his "accurate" testimony. I might add that a large number of the subpoenaed professors had never met nor heard of Mr. Herr before he took the stand.

In the light of all this, it would have been insane for us to lower the constitutional shield an inch. Nine among the 12 of us invoked the fifth amendment when asked to answer to a wide variety of wild and rather glamorous crimes (I almost wish I had committed one or two – my cachet in the underground would last a lifetime). I came away having learned nothing except a mild lesson in the degree of destructiveness built into the minds of the minions of order: think what *real* torture at their hands must be like – being a black victim, for example, without an academic title, a bank account and Mr. Gutman to defend him.

All those fifth amendments stopped the committee's show by boring everyone to death. (The last hearings were like listening to the monotonous *Ave Marias* of the left intellectual, over and over, murmuring through the church at Eventide: "I refuse to answer on the grounds of the first, ninth, and fifth amendment. . . ." The committee is now done with us: bored silly themselves, they concluded the hearings with an irresponsible call for President Toll's resignation, and then packed up to follow the TV floodlights elsewhere. But the Suffolk County officials will never forgive us, and they have decided to make us pay. Those of us who invoked the fifth are currently being investigated by the Suffolk County Grand Jury, before which our whole ordeal will probably be repeated, though with a different slant this time. In the secrecy of the Grand Jury's deliberations, we may again be asked to betray students. (These betrayals would tend to incriminate us too, as accessories after the fact, for example.) We will refuse. Caught in the machinery of New York State's waiver of immunity laws, we will be fired immediately, and the men in Suffolk County will have had their revenge and their headlines.

That's how it will work. As it happens (an accident of taste, almost), I don't use drugs and even tend to somewhat disapprove of them. But throughout this whole affair, I have been struck again and again by the utter irrelevance of that fact. The "issue" of drugs matters in only one sense: it isn't a "good" issue. Otherwise dependable civil libertarians balk at it; even though the laws are transparently unjust, drugs are just too much, they feel – forgetting that any real issue is always too much. As a result, despite its Nobel Prize winner and its big Van de Graaf nuclear accelerator, Stony Brook has found itself without any real friends anywhere, either in government or in the press. (Murray Kempton, for example, devoted half his column, in *The New York Post*, on Stony Brook to warning against romanticizing drugs and expressing his own concern about their control, rather than pointing out that Stony Brook was being kicked to death by a pack of opportunists.)

There can be no doubt that drugs, both in the minds of their users and in fact, constitute a species of liberty. It may well be, as I believe, that it is a self-annihilating

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and damned liberty, but it is still a kind of freedom, and a radical kind at that. Freedom of any kind is a serious threat to the types behind the Stony Brook affair, and they have reacted to it in the classic manner of terror, jail, inquisitions, and the police. Nobody involved in this affair, from the assassins to the victims, has the smallest interest in drugs *or* their "causes, control, and effects on society." They are interested in repressing or escaping, in destroying or saving themselves from that destruction. (That fact puts such pristinely respectable men as dean of students David Tilley – a most honorable and courageous man, I might add – basically on the side of the victims, while the brutes co-opt certain members of our own depthlessly complacent faculty, complain though they may of "tactics" and all the bad publicity.) It seems to me entirely mistaken to think that the issue of drugs at Stony Brook is "unpolitical." On the contrary, it is profoundly political, because its axis is *the* political question, which is liberty versus terror. And, as Sartre says, the chips are down.

I even may be right to think that this rabid, quasi-fascistic invasion of the traditional preserve of middle-class non-conformism will be only the first of many such invasions as the country sinks deeper into its current degradation. How *can* we expect to be left, comfortably fulminating and protesting, in these little cells of liberty while the country is ruled by Lyndon Johnson, and more and more under his vile influence? How *can* we expect continued enjoyment of our much overestimated "freedom of expression" (and I don't mean smoking pot) under a militaristic regime that will do *anything:* destroy any ideal, pay any price, kill any number of people, merely to extirpate the last shiver of freedom in one small, distant country? This is speculation, but it is relevant speculation, to which the answers may soon be coming.

Meanwhile, Stony Brook will lick its wounds, and those of us being hounded by the hounders will probably be fired, and there will be another boring, absorbing battle. I'm not sure how much I care. It's the kids who get me, the ones who face maximum sentences of three to five years. They are reminders that youth – together with the draft age refugees and the war protesters – is rapidly joining the Negro as America's chief domestic victim. Out on bail, the arrested students come into class and open their notebooks, pen in hand, trying not to think about prison cells, I suppose. It makes one want to look away. They have the alternately bland and extraordinary faces all students have, and most have never thought a political thought in their lives. They think they have been "busted." *I* think they happened to get in the way when the gorged great society decided to act out the stupid, vicious logic of its being, turn on its own children, and tear them to bits.

Danger: Death at Work

by J. V. Reistrup

Eola Garner can see Charley Steen's big house on the hill from the front door of her trailer home in Moab, Utah, although it is about a mile away. Charley Steen, who once described himself as a petroleum geologist turned uranium prospector, struck it rich in the early 1950's and was one of the few who made millions out of finding uranium for nuclear bombs. Eola Garner's husband, Douglas, was one of the hundreds who contracted, or will contract, fatal lung cancer after mining the same newly-precious element. His widow now supports their two teen-age children on Social Security payments, for Mrs. Garner failed even to collect workmen's compensation after her husband's death. As the landmark case in Utah, her claim went all the way to the state Supreme Court, which said in a 4-to-1 ruling that evidence of high incidence of lung cancer among uranium miners "is indeed impressive and may well be regarded as calling attention to the question whether lung cancer of uranium miners should be included in the occupational diseases listed by statute as compensable. However," the court added in upholding the state's rejection of Mrs. Garner's claim, "that is a legislative, not a judicial problem."

Lung cancer among the uranium miners has been somebody else's problem for a long time. Presumably few of the miners read the medical and scientific literature that, over four decades, has built up evidence that theirs is a dangerous occupation not only because

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of the hazards ordinarily associated with mining but also because of the colorless, odorless, tasteless – and deadly – substances known as radon daughters. These radioactive products of the decay of uranium and its offshoot, radon gas, appear to be the culprits which, inhaled by the miner, can cause cancer.

But it usually takes about 20 years after initial exposure for lung cancer to develop and US uranium mining began in 1948, so the theory was a long time being proved. By early 1967, the number of uranium miners already dead of lung cancer was reported at about 50. Within a few months, the total being given was 115. Before projections of future deaths – from radiation already received – were written off as unscientific, numbers ranging to over 1,000 were mentioned.

The news was embarrassing to several federal agencies. The Atomic Energy Commission, which regulates uranium products from the mill onward, had never sought to extend its jurisdiction to the mines. The Department of the Interior, given authority by the Federal Metal and Nonmetallic Mine Safety Act of 1966 to set safety standards in the mines, had dallied about appointing the advisory group that was to recommend these standards. The Department of Labor, which under the depression-era Walsh-Healey Act had authority to set standards in mines whose production was bought by the federal government, had also waited. Everybody was waiting for a recommendation from the interagency Federal Radiation Council, which had been studying the problem for two years. In the absence of federal standards, rules among the states varied – a couple closed down mines only if their level of radiation was measured at 10 times the maximum recommended, without the force of law, by the US Public Health Service a decade earlier.

With this background, the Joint Committee on Atomic Energy announced hearings on the uranium miners last April. But, as all students of Congress know, standing committees of Congress often develop strongly protective relationships with their client agencies. The Joint Committee on Atomic Energy shows a strong preference for witnesses whose view of the Atomic Energy Commission is largely favorable. Further, the committee is charged by law with overseeing the growth of the atomic energy industry.

"I don't think that this problem should be confused as human life against dollars," Chairman John O. Pastore said as the hearings opened. That theme faded away as the sessions droned on into summer, however, and the leitmotiv became the economic cost of imposing radiation standards in the mines. Uranium mining in this country, which is concentrated on the western slope of the Rockies, is in the midst of a "stretch-out" period right now, a period in which the federal government has, in the words of Senator Pastore, "enough uranium coming out of our ears" but continues to buy the stuff to tide the mining industry over until the big market of the 1970's develops: electrical utilities using nuclear reactors as power plants. By 1980, the AEC and the Federal Radiation Council figures indicate, there should be demand for more than $700 million worth of uranium a year – a major source of income for sparsely populated states.

Also in common with other committees, the joint committee tends to fall into the hands of the man most interested in the subject under review. In this case, it is Rep. Chet Holifield, a California Democrat who has been on the committee since its founding and who alternates the chairmanship with Pastore. Another dedicated member is Rep. Wayne Aspinall, a Democrat from the major uranium mining area of Colorado, who sides with Holifield. Rep. Melvin Price, the malleable Democrat from Illinois who chairs the radiation subcommittee nominally charged with the hearings on miners, gradually fell into line as the hearings went on.

Angry at a newspaper editorial which had accused the joint committee of being unconcerned about the miners, Holifield said on that first day of the hearings: "Maybe we have not moved fast enough. But maybe we didn't know how to move fast. . . . I want the record to show the uncertainties of knowledge which have existed during the past 15 or 20 years that we have been mining uranium in this country."

Actually, the 1,373 pages of record tell a great deal more about bureaucratic buckpassing and wheelspinning in the name of research than they do about scientific uncertainty, but the joint committee staff took its cue from Holifield – who, after all, is almost certain to be chairman again next year. The staff has just released a 58-page "summary analysis" of the hearings. Presumably published to save anybody interested the time needed to examine the full record, the summary is weighted heavily toward citations showing that the problem isn't so bad after all: "Dr. Robley Evans presented a mathematical formulation. . . . In the words of Dr. Robley Evans. . . . Dr. R. D. Evans believes. . . . Dr. Robley D. Evans, MIT, has conducted studies. . . ."

A one-man consensus, Dr. Robley D. Evans, professor of physics at the Massachusetts Institute of Technology, noted in a biography filling more than half a page that he has served as a consultant to the Office of Scientific Research and Development, the Army, the Air Force, the Navy, the US Public Health Service, the State Department, the Secretary of Defense, Research and Development Board of the National Military Establishment, the Federal Radiation Council and the Division of Biology and Medicine of the Atomic Energy Commission. He neglected to note that he is also a consultant to Kerr-McGee Corp., the largest producer of uranium in the United States.

When Senator Pastore pointed that out, Dr. Evans

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said that his professional judgment was unaffected by money. "Intellectual honesty is the only thing I know, sir," he said.

In a recent telephone interview, Dr. Evans said that none of the organizations he serves has been billed for his extensive work on the case of the uranium miners. "It's part of my academic life," he explained. But at the end of last year's hearings the Atomic Energy Commission decided to up its grant to Dr. Evans' project at MIT, to $173,919 for the year. Dr. Evans' arrangements with Kerr-McGee are not on public record.

In his testimony before the joint committee, Dr. Evans concentrated his attack on an order issued last May by Secretary of Labor Willard Wirtz. Under the impression that the joint committee really did want prompt federal action, Wirtz had moved before the hearings opened to set stringent limits on uranium mines that sell their production to the federal government, still the major buyer. (Wirtz's opening statement to the joint committee was a remarkable one. "The record reflects continuing attention by a variety of state and federal agencies – including the Department of Labor – to both the standards and the inspection problems in connection with uranium mining," he said. "It is a record, nevertheless, of literally hundreds of efforts, studies, meetings, conferences and telephone calls – each of them leading only to another – most of them containing a sufficient reason for not doing anything then – but adding up over a period of years to totally unjustifiable lack of needed consummative action.") Along with other companies, Kerr-McGee submitted statements that it could not meet the Wirtz standard for radiation in the mines.

Dr. Evans attacked the standard as unscientific. He concentrated his fire on the lower levels of radiation, just above the limit set by Wirtz, where Public Health Service studies so far have failed to turn up enough corpses of miners to provide statistical proof of hazard. Evans argued that there appears to be a "practical threshold" of radiation damage, that there would be "only negligible risk" of lung cancer for a miner exposed to radiation between three and 10 times the limit Wirtz specified in his order. (Kerr-McGee officials said they could comply with a limit in this range.)

Oddly enough, Dr. Evans based his conclusion not on studies of uranium miners but of people who had high body burdens of radium, mostly from painting radium dials. The cancers involved were not lung cancers but bone and sinus cancers.

The staff's "summary analysis" of the hearings calls Dr. Evans' finding "one of the most important contributions to the hearings in terms of scientific basis for a standard. . . . Enthusiastic response and constructive criticism from experts throughout the United States and other parts of the world have been received subsequent to publication of the hearing record."

It's a pity all that documentation couldn't be printed; perhaps it would have provided balance. For the reaction that did beat the deadline could be more accurately characterized as enthusiastic criticism.

"I think Dr. Evans has produced either one of the most ingenious propositions or one of the most ingenious red herrings that we have either respectively seen or smelled for a long time," Herbert M. Parker said at one session. A specialist in the radiation-safety field known as health physics from the Pacific Northwest Laboratory of Battelle Memorial Institute, Parker later submitted a written critique of the dial painter/uranium miner analogy. "We submit that the alleged relationships are tenuous and superficial," he wrote. "Collectively, they do not provide an adequate basis for relating the lung exposure in any quantitative way to the existing experience with bone tumors."

Dr. Victor E. Archer, a US Public Health Service physician involved for more than a decade in the study that proved a relationship between mine exposure and lung cancer, allowed that "there are enough similarities between the cancers of paranasal sinuses of radium cases and the bronchiogenic cancers of uranium miners so that it might be possible to derive some meaningful relationships between the two." Then he disposed of Dr. Evans: "However, that has not yet been done."

The third printed comment on Dr. Evans' study came from W. S. Snyder of the health physics division of Oak Ridge National Laboratory. Snyder addressed himself to a defense of the "linear" concept of radiation protection, which in contrast to the threshold theory holds that ill effects extend to very low dose ranges – and, in effect, that radiation damage is cumulative and no amount, however small, can be considered absolutely safe. From this it follows that the risk of each exposure (such as having a medical X-ray) must be weighed against the benefits (such as diagnosis of a serious disease). Snyder pointed out that the International Commission on Radiological Protection, the National Council on Radiation Protection and Measurements and the Federal Radiation Council all use the linear theory rather than Dr. Evans' threshold.

"Those who prefer to base radiation protection on a threshold hypothesis, which is just as unproven and just as uncertain and unsupported by data as is the linear hypothesis," Snyder said, "often charge that the linear hypothesis is too conservative. There is no evidence . . . that it is conservative at all. However, one may wonder why it is considered so undesirable to use a conservative criterion where human life is in question. Surely if the linear hypothesis is conservative and is not in conflict with the data that are available, this is a point in its favor. When human life is in the balance, it would seem that conservatism in safeguarding these lives has much to commend it."

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What the South Vietnamese Want

by Takashi Oka

American officials frequently point to the restraint with which the Vietnam war is being waged. They say it is a "limited war, with limited means, for limited ends." And this "limited end," in turn, is defined as "safeguarding South Vietnam's freedom of choice." A less sophisticated way of defining the American goal in Vietnam would be to say it is to preserve the line drawn in 1954 between Communist North and non-Communist South. Just as the United States and other members of the United Nations came to South Korea's aid when the North Koreans, with Soviet help, crashed across the 38th parallel, it is argued, so today the United States must hold the line at the 17th parallel in Vietnam, even though the Communists have used infiltration and subversion rather than a direct assault across the frontier; if the United States does not hold this line, there will be no stability elsewhere along the global frontiers between Communist and non-Communist worlds. Moreover, it is said, if South Vietnam goes, Laos and Cambodia will soon follow. Then will come Thailand, Burma, Malaysia and finally Indonesia. India will be outflanked, Australia isolated.

I do not deny that a Communist victory in Vietnam could have a domino effect. I do deny that such an effect is inevitable. It is even conceivable that the Communists may *lose* in Vietnam and still try an insurrection or a coup in some neighboring country. For, when all is said and done, Vietnam is unique. No other nation in Southeast Asia, or for that matter in the world, duplicates Vietnam in terms combining geography with recent historical experience. Burma, Thailand and Laos are geographically analogous in that they border on or are close to Communist China. But their recent history is totally different from that of Vietnam. In Vietnam, and Vietnam alone, Ho Chi Minh and his Communist followers captured the leadership of the national independence struggle against the French. Ho is the Gandhi and the Nehru, the Aung San and the Sukarno of his country, and not just its Northern half.

Without this charisma of having led the independence struggle, of having won the decisive battle of Dien Bien Phu, I doubt that the Communists of Vietnam could have gotten as far as they have today. Burmese Communist leaders have almost as good nationalist credentials as the Vietnamese. But they had no Ho. They did not lead the independence struggle. Still, they have been waging guerrilla war inside Burma for over twenty years. If communism itself, whether of the Moscow or of the Peking variety, provides an infallible dynamic to stoke the fires of "national liberation movements," there is no reason why the Burmese Communists, with their contiguous border with China, should not have won out long ago.

A Communist victory in Hanoi would undoubtedly inspire Communists elsewhere, including those in Burma or Thailand. At the same time, even in the jargon of Mao Tse-tung, a Communist triumph in Vietnam would mean mainly that Ho and his companions had successfully applied the universal truths of Marxism-Leninism to the concrete realities of the Vietnamese revolution. Communists in Thailand, Burma, or any other country would still have to work out the same problem – how to apply Marxism-Leninism to their specific situation. Neither victory nor defeat could be automatic. Either would depend on the leadership and other capabilities shown by the Communists themselves, as well as on the effectiveness (or lack of it) of the response by the non-Communist

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rulers of the country in question. Indonesia is an example of how a Communist party, enjoying the support not only of the president but of at least a fourth of the electorate, took its own path – quite different from that of the Vietnamese – and suffered spectacular (if perhaps temporary) defeat.

The 1954 Geneva agreement provided for all-Vietnam elections in two years. They were not held because of South Vietnam's refusal. The North refused to accept this refusal, and started a guerrilla war in the South. The purpose of American involvement in Vietnam is to show that the 17th parallel, for whatever reason, is now just as clear-cut and uncrossable a line as the 38th parallel in Korea or the boundary between East and West Germany. Until North Vietnam and the Communist powers recognize this fact, it is said, the war must continue. The US is not threatening North Vietnam's right to existence as a Communist state. It is even prepared to give economic assistance to Hanoi, once the war is over. But it insists that Hanoi reciprocate by respecting Saigon's right to exist as a non-Communist and hopefully a democratic state.

Those who rebut this argument base their reasoning, in the main, on a point recognized by Washington: that the 1954 Geneva agreement nowhere referred to the 17th parallel as a permanent frontier between the two Vietnams, and that on the contrary it provided for all-Vietnam elections within two years. The fact that neither Washington nor the then State of Vietnam signed the Geneva agreement does not invalidate the argument, since Washington specifically recognized that it would respect what the other Geneva powers had concluded.

But it is difficult at this date to determine what was in the minds of the signatories when they drafted the provision on elections. The signatories, including Hanoi, must have been aware of the examples of East and West Germany and of North and South Korea, which were also partitioned "temporarily." Did Hanoi truly expect to be allowed to take over South Vietnam peacefully after a two-year delay? If it was so sure of victory in any case, why did it sign the agreement at all? And if the other signatories believed that the country would be reunited in two years, why did they provide not only for regrouping of Communist troops to the North and of non-Communists and French to the South, but for substantial movement of the civilian population in both directions? Why should up to 800,000 Catholic and Buddhist non-Communists come South, and 100,000 Communist cadres and sympathizers go North, if the 17th parallel was truly expected to be temporary?

I cannot help feeling that the signatories called the 17th parallel a temporary dividing line as a face-saver for the French, the Americans and the Vietnamese (both Communist and non-Communist), who felt that the important thing was to stop the war, that things could happen within two years, that once the fighting stopped it would be difficult to crank up once more, that at worst the Communist capture of the whole of Vietnam had been put off for two years, while at best both Vietnams would settle down to a coexistence marked by mutual recriminations and even armed incidents, but not by full-scale hostilities.

I agree with the critics of official Washington that textually the Geneva agreement gave Hanoi grounds for hope that reunification of the country would follow in two years, that this hope went unrealized not because of Hanoi's actions but because of South Vietnam's specific refusal to agree to all-Vietnam elections, and that to this extent the case of Vietnam differs markedly from that of either Germany or of Korea. With this reservation, however, I go along in general with official Washington's explanation of its goal in Vietnam: to preserve the de facto boundary between the Communist and non-Communist worlds, to refuse to allow, for whatever reason, this boundary to be overrun by force. The American aim in South Vietnam is clearly defensive, not offensive. And it arises from Washington's global responsibilities as the leader of the Western camp.

Independent of the American goal in Vietnam, however, there is a Vietnamese goal.

I believe that if Washington had truly understood this, the enormous military escalation of the war, the bombing of the North, the confrontation with Moscow, the half a million American troops in South Vietnam, would not have been necessary. Pessimism over the war in Vietnam arises from my doubts that Washington ever will understand, and that if by some miracle it does, South Vietnam itself will by then be beyond saving.

What is the Vietnamese goal? In simple terms, the Vietnamese people have two main objectives: freedom from foreign domination, and, a government that satisfies their longing for justice and for national dignity, while ensuring their physical security and a modicum of economic opportunity. These objectives long preceded American involvement in the country. Revolution is a popular word among Vietnamese, because many Vietnamese feel that without it, without a top to bottom change in systems of government and

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the very structure of society, their objectives are unattainable. If elections are rigged, if the government perpetuates itself by arbitrary means, if its rule clearly favors the few at the expense of the many, then the centuries-old right of rebellion against unjust rule can be invoked, and the Confucian notion of the revocation of Heaven's mandate comes into play.

Until the Communist victory at Dien Bien Phu in May 1954, which was above all a Vietnamese national victory, the overwhelming preoccupation of all Vietnamese was the first objective – freedom from foreign rule. Some of the most bitterly anti-Communist Vietnamese I know do not hesitate to acknowledge Ho Chi Minh as the unquestioned leader in the independence struggle against the French.

Among the non-Communists, there were patriots of intelligence, determination and dedication. But their organization was poor; they were riddled with cliques and with individual rivalries. Many were inspired by the ideas of Rousseau and Montesquieu, while others found their examples in Hitlerite Germany or militarist Japan. After the outbreak of World War II and the Japanese occupation of French Indochina, many non-Communists collaborated with the Japanese. Ho Chi Minh's Communists worked underground, cultivating contacts, among others, with the American OSS. In August 1945, following the Japanese defeat, the Communists captured the commanding heights of the nationalist movement, obtained the Emperor Bao Dai's abdication in their favor, and proclaimed the Democratic Republic of Vietnam. Thereafter, throughout the years of negotiations and of guerrilla warfare against the French, the Communists continued in control, until the culminating victory at Dien Bien Phu.

Ho Chi Minh and his cohorts showed consummate political skill in dealing with their non-Communist compatriots. In form, Ho led a government of national unity, a broadbased coalition against the French. Playing on rivalries and jealousies among the non-Communist nationalists, Ho outfoxed and outmaneuvered them at every turn. He was even willing, at one point soon after World War II, to disband the Communist party and accept minority status for his followers in a coalition government. But the Communists always understood, as their opponents did not, what constituted the essentials of political power, as opposed to the mere trappings. They tenaciously held to these essentials, even while the entire Tonkin delta, their center of support, was under the occupation of the anti-Communist troops of Nationalist China.

When the French decided to break with Ho, they could have offered Bao Dai genuine independence as ruler of an alternative regime. This was in 1948, and Bao Dai was still uncompromised. The Communists, meanwhile, had begun to make enemies because of their harsh rule in areas they controlled. But the French gave Bao Dai only the shadow, not the substance, of independence, and Bao Dai accepted this in lieu of his people's birthright.

The formation of the Bao Dai-ruled State of Vietnam faced non-Communist nationalists with an acute dilemma. They knew the regime was not really independent. But they also could sense that the colonial era in Asia was breaking up, that when Britain was giving up India and Holland the East Indies, France alone could hardly cling to her colonies forever. Some nationalists, therefore, accepted positions under Bao Dai, reasoning that step by step they could increase their real control over their country. Meanwhile, the French would help them to defeat the Communists.

"It was a choice between the French and the Communists," one such nationalist told me. "We could see from the example of other countries that once the Communists took over, we would not be able to dislodge them for a long time; whereas the French were bound to go, sooner or later. So, as a purely temporary expedient, we chose the French."

Some nationalists rationalized this decision by saying that Ho was taking help and advice from the Chinese and the Russians. But in fact, the Ho regime was very much its own master, and most Vietnamese recognized this. The contrast between a Communist regime making its own decisions, while accepting advice and limited material help from outside, and a so-called nationalist Bao Dai regime completely dependent on the French for its very existence, led many Vietnamese nationalists at this period to choose the Communists, on the ground that at least they were fighting for national independence.

The French, meanwhile, had succeeded in inveigling the Americans into the Indochina conflict, saying that, as in Korea, this was a struggle between the Communist world and the West. Thus the US found itself helping the French to fight communism in a country where the prior question of independence versus continued colonial rule had not been resolved. This was an egregious error.

The Geneva agreement of 1954 put an end to this anomalous and unsatisfactory situation. After the disastrous battle of Dien Bien Phu, the French were at last ready to retire from Indochina. French Expeditionary Corps left the country, and for the first time the non-Communist Vietnamese were masters in their own house – although it was only half a house by this time. Ngo Dinh Diem became premier with American support, replaced Bao Dai after a referendum, and proclaimed the Republic of Vietnam, with

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constitution, national assembly, elections, political parties, and the other trappings of a Western-type democracy. For those in North Vietnam, communism was already established as the system under which they were to live. For the Vietnamese of the South, there was still an opportunity for competition between Communists and non-Communists. Which system would prove itself better organized, more honest, more just, more responsive to the people's needs and demands – for education, economic uplift, social reform?

The Communists did not like this change in the terms of reference. Their strong point was their leadership of the struggle for national independence. If the struggle were to be waged exclusively on which system of government, Communist or non-Communist, would be better able to give the Vietnamese what they wanted – the non-Communists still had a chance.

Many Americans hoped that Diem would establish a regime sufficiently democratic to offer the Vietnamese a meaningful alternative to Communist rule. Numbers of idealistic Vietnamese, filled with the same hope, returned from abroad, and in some instances from the Communist side, to offer the new President their services. But the hope was not fulfilled. Diem and his brothers imposed on the people of South Vietnam an authoritarian regime which imitated some of the Communists' most hated institutions and methods – secret police, elitist party, arbitrary arrests – and added to these the traditional vices of nepotism and corruption. The Diem regime was less efficient than the Communists; that was all.

In the immediate post-1954 years, Communist military activity in South Vietnam was minor, though the infrastructure established during the preceding eight years of war remained. Privately, Washington officials were disillusioned fairly early about the austere, sharkskin-suited Diem's devotion to or understanding of democratic principles and practices. In public, they muffled their doubts, and only rarely expressed polite concern about some particularly bad example of unfairness towards opposition figures. In 1959, for example, Saigon invalidated the election of Harvard-educated Dr. Phan Quang Dan, after the popular doctor had surmounted obstacle after obstacle to win an assembly seat. The American, British and Australian ambassadors all went to President Diem on that occasion. They brought just enough pressure to irritate him, and not enough to achieve their objective, which was to allow Dr. Dan to take his seat as an almost solitary opposition representative.

It was in this kind of atmosphere, heavy with disillusionment and disappointed hopes on the part of many non-Communist Vietnamese, that Hanoi having failed to obtain the promised all-Vietnam elections, reactivated guerrilla warfare and terrorism as a means of achieving unification of the country under Communist rule. Using the National Liberation Front as their political arm, Communist leaders in the South reactivated and progressively strengthened their apparatus in the vulnerable villages of the South Vietnamese countryside.

Washington was trapped in a vicious circle. It recognized that the Communist challenge was both military and political. It could counter the military threat by pouring in equipment, money, and eventually ground troops. To meet the political challenge, however, Washington felt it could do little. This was a job for the Vietnamese. Only a popular government, a popular leader, could do this. But leaders were not growing on any tree. Diem might not be ideal, so Washington's argument ran, but who could take his place? Meanwhile, every gun, every helicopter, every sheet of roofing material, every sack of cement or of fertilizer the US brought in was strengthening the Diem regime's capacity to hang on in the teeth not only of the Communist rebellion but of every other domestic opposition. So long as the Diem brothers did not change their harsh, repressive internal policies,

"I hope nobody pulls the rug out from under us."

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the military and economic help the US gave them did nothing to increase their popularity with the Vietnamese population. Rather, it helped the Communists to identify Diem with the Americans and to substantiate their claim that they were once again leading a struggle for national liberation – this time against the Americans.

Diem survived a paratrooper coup in November 1960 and the bombing of his palace by two air force pilots in February 1962, and was finally toppled in November 1963 by a military revolt. Washington only abandoned him during the final two months of his rule, after his summer-long contest with the Buddhists had made it clear he had lost all popular support and was reduced to jailing high school children in order to keep himself in power. I do not agree with those who say that Washington deliberately betrayed Diem to the generals. But it did betray him in another sense. It could have tried, much earlier, to have forced Diem to change his ways, before his authoritarian style had fully crystallized and while a degree of meaningful political opposition to his rule still existed above ground. The effort may not have succeeded. At any rate, it was never tried. Diem had no reason to believe the United States would ever abandon him, so long as he remained uncompromisingly anti-Communist.

All this is now water over the dam. Diem has been gone for over four years. But perhaps one Washington official, who then and now occupies an important policymaking post, will recall a conversation I had with him in the summer of 1962, while Diem was riding high. He rebutted my doubts about the future of the war, cited all the new equipment (helicopters, support aircraft, etc.) and new concepts (strategic hamlets, Ranger companies, self-defense forces), expressed confidence in the capabilities of President Diem, his brother Ngo Dinh Nhu, and his principal ministers, and said that victory was possible without American ground troops or any bombing of the North. He said that, as things were then going, the United States could continue to support the South Vietnamese for as long as was necessary until the Communists gave up the struggle. "But surely," I said, "you must have some more immediate time span in mind, a period within which you will evaluate progress or the lack of it and decide what to do."

"Oh yes," the official replied. "I would say three years. Unless, in three years' time, we are doing very much better than we are now, I would say we would have to take a very serious look at the situation to see whether it is worth going on with the effort."

It was exactly three summers later that the first American ground troops frankly intended to fight the war for the South Vietnamese landed on the beaches of Vung Tau. (Earlier, the Marines had landed at Danang, but their original purpose was said to be to protect the air bases from which the bombing of North Vietnam was being conducted. The bombing of the North began in February 1965.)

Today, US armed forces in South Vietnam are over half a million – more than what the French Expeditionary Corps had in the whole of Vietnam before 1954 – and it is reported that General Westmoreland wants over 200,000 more. There are two South Korean divisions, an Australian-New Zealand brigade, a Thai brigade, and a Philippine combat team fighting alongside the Americans – plus of course 700,000 South Vietnamese under arms. Still the end is not in sight.

The contest between Communists and non-Communists in South Vietnam is taking place under conditions that come closer and closer to approximating total war. To the inhabitants of Saigon and other major cities, the savage street fighting of the recent weeks may have brought home a dimension of terror previously known only to the peasants of the long-suffering, palmleaf-hutted countryside. I do not know what the final psychological effect of this terror will be on city dwellers. But to claim, as the generals leading the Saigon government have done, that this brutal confrontation with the realities of war will have a galvanizing effect on the city dwellers, is to misjudge the current temper of the South Vietnamese people as a whole.

The tragedy of Vietnam lies precisely in this point: even at this late date, neither city folk nor the rural peasantry actively prefer Communist to non-Communist rule. I am certain that if the Communists today really commanded the loyal adherence of the majority of South Vietnamese, we would have seen long ago the kind of phenomena that heralded the final days of the Chiang Kai-shek regime on the mainland of China: whole armies deserting to the Communists, well-known intellectuals, politicians, and professional leaders flocking to the Communist cause. No amount of American troops would suffice, in such a case, to turn the tide.

I cannot accept the claims put forward by Western supporters of the Communist cause that the National Liberation Front is essentially different from Hanoi, or that it represents in itself a true coalition, or that South Vietnam, once under Liberation Front control, would remain separate from North Vietnam for a long time to come. These arguments could conceivably appeal to Washington itself some day as a face-saving means of withdrawing from Vietnam. But to me, the fundamental conflict in Vietnam is still squarely between Communists and non-Communists. The

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Communists have not won so far because they demonstrably lack the support of the majority of the population.

But – and this is the side of the equation Washington consistently glosses over – the non-Communists also have not won, despite the United States' gigantic effort on their behalf – because they, too, have not gained the positive allegiance of the population. And my pessimism over the future course of the war springs from the fact that, even before the Vietcong attacks against the cities, war weariness and cynicism had settled like a thick fog across this unhappy land, across the untended paddy fields, the fetid refugee camps, the obscenely gaudy neon lights and mountainous garbage heaps of Saigon. Generals Thieu and Ky may talk about self-sacrifice and reform, but no one believes them. Everyone knows that corruption continues and that it grows, even in the highest places; yet there is very little purposeful public indignation, because so many people are compromised.

I suspect, although I cannot prove it, that under these conditions, fewer and fewer people are asking, "Give us a government, a cause, worth fighting for," and that more and more are asking, simply, "Give us peace." In countless conversations with opponents of the present Saigon regime, ranging from cashiered general to conservative merchant to radical bonze, I have been struck by the pathetically wishful nature of their common refrain: that somehow they will achieve an understanding, an arrangement, with the Communists, that because they represent the people, while the generals most obviously do not, they will manage to secure peace *without* Communist rule, that as soon as the actual fighting stops, the overwhelming aversion of the people to Communist rule will manifest itself in so clear a manner that the Communists will be forced to accept not merely the sharing of political power, but minority status in some kind of coalition government.

Here's the dilemma of South Vietnam's non-Communists: they still comprise a majority of the population, and this majority supports neither the Communists nor the present regime of corrupt, faction-rid generals in Saigon.

What has the enormous American military and material effort done for the non-Communist Vietnamese so far? It has staved off the military collapse of successive Saigon regimes. But from the very beginning of the American involvement, it has been obvious that unless, on the political side, the Vietnamese themselves, or Washington and the Vietnamese together, did something with the weeks, months and years gained through American guns, bombs, helicopters, assault craft, and lives, the war would still be lost. In political terms Saigon has many times come to the very brink of disaster; on each occasion it was rescued not by political sagacity but by an additional increment of American military aid. This unhappy situation is the result not of mistakes or inadequacies on the part of the non-Communist Vietnamese alone, but of American insensitivity and bungling as well. In fact, Americans may be the greater culprits.

The first serious political mistake on the part of the non-Communist Vietnamese, after the Geneva treaty of 1954 confirming them in their control over South Vietnam, was the order of priorities adopted by Ngo Dinh Diem. He had to establish a strong government, a stable government, a just and effective government. All his energies, and those of his brothers, were concentrated on the first two points. Diem's American advisers gave him a plethora of advice on the technical aspects of running the administration – the budget, the police, the training of cadres. But on the all-important question of political content, American advice was timid, in the manner of a maiden aunt, rather than of a partner in a venture equally important to both sides.

The generals who succeeded Diem likewise failed to appreciate the energy and enthusiasm, especially of the young, that could have been harnessed to building a new government of freedom, justice and opportunity after the nine years of Diemist repression. They refused to see the urgency of the need for sweeping political reform. Again the Americans remained silent. Thus began the succession of coup and countercoup that continued until the ouster of Nguyen Chanh Thi and the crushing of the Buddhist rebellion of 1966. Throughout, Washington demanded only a stable government, a government which in effect would enable the United States to continue the war against the Communists. "If we only had political stability," Washington would sigh, "how we would clean up those Viet Cong."

The presidential and legislative election campaigns of 1967 were the third, perhaps the most serious, mistake committed by the non-Communist Vietnamese who form the power elite in Saigon. The whole point of these elections was to establish a government that could claim unimpeachably to speak for the people of non-Communist South Vietnam. But the elections were conducted in such a manner as merely to confirm in power the generals already controlling the government. Nguyen Van Thieu, the Chief of State, and Nguyen Cao Ky, the Premier, at first set themselves as rival candidates. Alarmed at this splitting of the military ticket, American officials did their utmost to secure the withdrawal either of Thieu or of Ky. The more volatile and sentimental Ky stepped

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down, to accept the vice-presidential nomination under Thieu. From that point on, the results were a foregone conclusion. The generals rammed through provisions stipulating that a plurality rather than a majority would assure election. They then pressured the Constituent Assembly into turning down the candidacies, not only of known Communists, but of Buddhists, peace partisans, and even of one popular ex-general who threatened their position. The two principal civilians, Phan Khac Suu and Tran Van Huong, and their partisans, failed to unite forces as Generals Thieu and Ky had done. On the American side, there was no effort at bringing the civilians together comparable to the pressure earlier brought to bear on the military. In the event, despite the impressive "peace" vote garnered by a scarcely known candidate, Truong Dinh Dzu, Thieu won the election, although he secured only a third of the total votes. The repression of and discrimination against the militant Tri Quang Buddhists which accompanied this campaign, plus the unwise, unimaginative tactics of the Buddhists themselves, ensured a Senate heavily weighted in favor of the Catholics, who comprise but 12 percent of the total population.

The generals' victory is likely to prove Pyrrhic. The almost total lack of popular response to Saigon's appeal for national solidarity following the recent Communist attacks on urban centers shows how little credit the regime has managed to build up during three and a half years in continuous power. But the real victim of this dreary series of events, I am afraid, is the whole viability of the non-Communist way to just and effective government. When the Vietnamese conflict comes to be viewed as a power struggle between two rival dictatorships, only the Communists stand to gain – for they can always claim (and the claim is acknowledged) that they are better organized and more efficient.

In almost direct proportion to the escalation of the American military effort in South Vietnam, the Saigon government's own sense of political responsibility has atrophied. Washington's repeated promises to Saigon, and the evidence the Saigon generals see all around them of the massive nature of the American military shield, diminishes almost to the point of absolution Saigon's own responsibility for the success or failure of the war. If the war goes badly, it is for Washington to be concerned, not Saigon, for what can puny Saigon do to redress the balance, compared to the unlimited resources available to the United States? Under these circumstances, Saigon's main concern seems to be to keep up appearances. If Washington is worried about corruption, Saigon will dismiss a province chief or two. If Americans complain about the large number of idle young men in Saigon streets, the general will pass a new draft law calling up eighteen-year-olds.

The primary reason the non-Communists of Vietnam have failed to develop effective leadership is not the devilish cleverness of the Communists but the continuous dependence of the non-Communists on outside support – first the Chinese and the Japanese, then the French, and now the Americans. Each of these outside powers has used the non-Communist nationalists to promote its own interests. Each could not entrust the fate of the Vietnamese nation to its own nationalist protégés. Washington may argue that its motives were better than those of its predecessors and that it has bent over backwards to respect Vietnamese sovereignty, but the manner of its involvement in the Vietnam conflict has done nothing to diminish the Vietnamese leadership's own sense of its utter dependence on the United States. Indeed, US aid itself constitutes the grossest, most direct form of interference in a country's internal affairs.

The secret of communism's successes in China and government in competition with the Communists must Vietnam lies in its penetration of the village, and any likewise get through to the villagers. The village is absolutely essential to the Communists. Without it, they would be annihilated. The government, however, especially a government enjoying massive American support, can get along without a village. For instance, if Saigon were absolutely dependent on rice from the Mekong delta in order to feed the population of its cities and rice-deficit areas, it would direct all its economic policies towards obtaining that rice. This would mean, not merely unimaginative military sweeps during the harvesting season, but a whole complex of measures, from warehousing to transport and distribution to an incentive system for rice producers. But Saigon can do without delta rice – or rather, it can cushion itself against sharp fluctuations in the supply of rice from the delta, thanks to American aid, with which it buys grain either from Thailand or direct from the United States. Therefore it can get by without the rice grower. It cannot, of course, dispense with him altogether. But it is under far less direct pressure to do something for the peasant than if it desperately needed the food he produces.

But the peasant is the Viet Cong's only source of logistic support. Saigon propaganda would have the world believe that the Viet Cong simply confiscates rice from the grower. This is far from being the whole story. Certainly there is terror; certainly there is confiscation; but there is also a judicious combination of the carrot and the stick, a continuous stream of propaganda aimed at making the individual villager feel he is essential to the success of the Liberation

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Front cause. All Saigon's efforts – and those of its American backers – have been directed towards getting the Communists out of the village. These efforts have been inconsistent. On the one hand, Saigon tries to attract the farmer away from the Communists through material favors – fertilizers, schoolhouses, modern pigsties. On the other hand, it seeks to deny the village to the Communists by bombing, by forcibly moving the population out of their ancestral palm leaf huts into refugee camps, or by destroying the crops that provide the villagers' livelihood.

I believe that Saigon's efforts should rather have been directed toward tying in the villager with the cities. If the farmer's rice and other products were given a high price in town, if town-made goods were made available to him through cooperatives, if the whole distribution and credit system were made to work in the farmer's favor, he would not need to be given schoolhouses and maternity clinics as government favors – he would have the income to build such things himself. Any Communist efforts to break the village's links with the city would be resented by the farmers themselves, who would see that their own prosperity depended on these links. But Saigon will not take such measures, and Saigon's American advisers will not actively push it to do so. For Saigon can exist without the village, thanks to US help. And the Americans, who can be enthusiastic about teaching villagers how to use new fertilizer or improved seeds, shy away from institutional reform.

What is to be done at this late date? I am afraid that the United States, along with its Saigon protégés, will probably suffer defeat, not because it is militarily inferior to the Communists, but because over a long period of time it has frittered away opportunity after opportunity to offer the people of South Vietnam an effective alternative to Communist rule, because even the enormous weight of the American war effort is insufficient to hold time still or to retrieve opportunities once lost.

But because I am myself emotionally involved in this conflict, I am sorely tempted to say that the latest round of Communist attacks and the Dien Bien Phu atmosphere it is creating in the minds of the Vietnamese does provide the non-Communist cause with one last chance. This could be a moment to make one final effort to obtain a national consensus. It is asking too much of the Saigon generals to expect that they would accept personal responsibility for having so grievously miscalculated Communist military capabilities and therefore step down. But they could perhaps be persuaded to take potentially a far more significant step – if Washington were really so inclined. The central question all Vietnamese are asking today, because it relates in the most direct manner to their own daily lives, is the question of war or peace. Hitherto Saigon has simply assumed that all non-Communists were for war. It has never allowed an open airing of the question. It brands peace partisans as traitors. As a result the Communists, even while waging savage, terroristic battle against civilian targets, have a monopoly on exploitation of the complex but deep and nearly universal Vietnamese longing for peace.

If a consensus, or something approaching consensus, could be reached after free and full debate on the question of war or peace, a government based on such a consensus would for the first time be able to assert some degree of independence both of Washington and of Hanoi, because for the first time it would have taken the fate of the non-Communist Vietnamese as a whole into its own hands. But the question is too important to be debated solely in the South Vietnamese press (which, in any event, is still muzzled on this all-important matter), or even in the Senate or House of Representatives. A better forum would be a national salvation conference, called by President Thieu himself to discuss the latest Communist attacks and all possible consequences. All significant non-Communist elements, including soldiers and civilians, Buddhists and Catholics, neutralists and "march-north" extremists, should be invited to send their representatives. The Senate and House of Representatives would of course be included, but outstanding figures outside these two bodies should also be invited. The question of peace or war should be thrown open to searching discussion and debate.

Controversial but popular figures such as Generals Duong Van Minh and Nguyen Chanh Thi could be recalled from abroad to participate. The advocates of peace should be given a full, unpressured opportunity to state their case. Despite the muzzling of the press on this all-important issue, these advocates are well known. Names such as Au Truong Thanh [now held in "protective custody" – the editors] and Vo Van Huyen come immediately to mind, as do the Catholic Song Dao and Buddhist La Boi groups.

The Saigon generals fear such an airing, because they think it could lead to a snowballing demand for negotiations. This is a real possibility, but it is a risk Saigon must take if it wants to recapture from Washington the initiative and sense of responsibility it has lost. As for Washington, a clearly Vietnamese decision either for war or for peace would solve a cruel dilemma, allowing either for a dignified withdrawal or for a program of renewed assistance based, this time, on mutual rights and obligations instead of the dangerously unbalanced and nearly singlehanded effort Washington is currently putting into the fight against the Communists.

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Stanley Kauffmann on films

Gaul, Gall, de Gaulle

Two items of bad news from France. First, there is a film called *The Two of Us*, directed and written by Claude Berri, whose only previous film that I know is *The Chicken*, a painfully sentimental and clumsy short about a little boy keeping a secret from his father. Berri's feature film is equally sentimental and clumsy, and it, too, is about a little boy keeping a secret from a

The Two of Us
(Cinema V)

grownup. The setting is World War II, and the plot is allegedly based on Berri's own experience – which, for me, makes the tricksy cute treatment even worse. The story concerns a French-Jewish child sent to a farm by his parents for safekeeping. The old farmer, who doesn't know the boy is Jewish, is a rabid anti-Semite; yet he grows to love the boy! The film proves that prejudice is irrational. But I have known this ever since I saw *South Pacific*.

The old man is played by Michel Simon who, as it seems, was invented by Thomas A. Edison about the time that the latter developed the motion-picture camera. It is hard to remember the existence of films without Simon's presence in them. In his long and spotty career he has ranged from excellent performances like those in *Boudu Saved from Drowning* and *Panique* to albums of mugging as in *The Two of Us*. Alain Cohen, the boy, is sweet and appealing, and has a reticence that his veteran colleague might have emulated. From the moment we see the old man feeding his dog in a chair next to him at table and complaining to the boy about his wife, we know we are in for a slosh of the syrup that was patented by Wallace Beery and (then) little Jackie Cooper in 1931. *The Champ* was the Big Daddy of pictures that put a seamed old mastiff face next to a fresh innocent one and – for the audience, at least – made the youngster the wiser of the two.

The best thing that can be said about Berri's film, and its only mild surprise, is that the old man never finds out the boy is Jewish. But this tiny final irony does not nearly redeem what has gone before. Additionally, Berri has directed in a style so "folk"-conscious (of earthiness, of countryside) in lame imitation of French films of the '30s that this picture seems an anachronism – as if it had been made before it could possibly have happened.

Second, and much graver, is the news from the Cinémathèque Française in Paris. Henri Langlois, its director and one of its founders, has been dismissed by the French government.

The Cinémathèque was the first film library in the world and is still considered the best. It has over 50,000 films, a million stills, 8,000 books, and some 25,000 bits of memorabilia. Jean Cocteau once referred to Henri Langlois as "the dragon who guards our treasure." But Langlois was no mere guardian, however dedicated. Under him the Cinémathèque ran two film theatres, each of which showed *three different films a day on six days a week*. Thus it was a living library, a school, a focal point for filmmakers present and future, a force. And all through the passion of Langlois.

The Cinémathèque was founded in April 1936 by him, together with Georges Franju, the director, and Jean Mitry, the film critic and historian, but Langlois has always been the director. There are legends in Paris about how he hid American and British films from the Germans during the Occupation and then hid German films from the Allies during the Liberation. Originally the Cinémathèque was a private institution, but it began to receive state aid after 1945, which gave the Ministry of Culture some control over its affairs – sufficient, apparently, to dismiss its director. This is precisely what the present Minister, André Malraux, did early last month; he suddenly replaced Langlois with a minor film functionary named Pierre Barbin.

The response was hot and immediate. On Valentine's Day three thousand people marched in protest through the streets of Paris. (The best reporting of this whole affair was in two articles by Joseph Barry in the *Village Voice*, Feb. 22 and Feb. 29.) The march was led by Jean-Luc Godard and François Truffaut, and it included Simone Signoret, Marcel Carné, Jean-Paul Belmondo, Man Ray, and Alain Resnais. When they tried to approach the Palais de Chaillot (the site of the Cinémathèque's newer theatre), the police intervened. In the scuffle Godard's glasses were broken and his face was "slightly bloodied." Forty-eight hours later, many of the world's great men of cinema – Chaplin, Kurosawa, Renoir, Clair, Antonioni, Dreyer and others – had sent their protests against Langlois' dismissal. The Cinémathèque has since been closed while officialdom makes up its mind how to proceed, but many of the prints in the collection are the property of directors who lent their films to the library as a tribute to Langlois, and a number of them have said they will withdraw their films as soon as the doors are reopened unless Langlois is reinstated.

Why is the Cinémathèque important? Because its founding marked a turning-point in cultural attitudes toward film, and because its lively existence has been a seminal influence on French filmmaking that can hardly be overestimated. The simple availability of film material is *not* simple, as compared with many other arts; and Langlois made the history of film accessible and inspirational. Genêt stated quite inaccurately in *The New Yorker* that Langlois was devoted to "the conservation of rare or important old films." This is exactly contrary to the Langlois rule, which has been to save everything he could get his hands on, rather than to impose his taste on future generations. His would be a debatable attitude in, say, a painting curator, but in the scrabbling, infant art of film it was only just procedure, and its wisdom has been proved. Many different kinds of taste and talent have been stimu-

(Continued on page 45)

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What's Left of Lawrence

Six years after D. H. Lawrence's death in 1930 his American publishers, Viking Press, issued a volume of his previously unpublished or uncollected writings under the editorship of Edward D. McDonald, who called the book *Phoenix*, after the emblem Lawrence had chosen for himself. Lawrence was rather near the bottom of his reputation in 1936, but after the Second World War, as his name took on weight again and his powerful, special gifts made claims on a new generation's attention, the book became a prized underground object, much sought after by the kind of fanatical admirers he tended to create. It was worth hunting down and paying a good deal of money for when you found it, for it contained some of the best and most characteristic writing of certain kinds that Lawrence ever did. Now Viking has reissued the book and in the same format a second volume of hitherto uncollected or unavailable or, in a few instances, previously unpublished pieces, calling the new book, understandably enough, *Phoenix II*.

Phoenix The Posthumous Papers of D. H. Lawrence
Edited by Edward D. McDonald
(Viking Press; $12.50)
Phoenix II Uncollected, Unpublished and Other Prose Works by D. H. Lawrence
Edited by Warren Roberts and Harry T. Moore
(Viking Press; $12.50)

But the bird rises from the ashes much less robustly this second time around. *Phoenix II* is certainly a justifiable project, but I doubt that anyone is going to feel its absence very deeply once it goes out of print. For the new collection's editors, Warren Roberts and Harry T. Moore (a Lawrence scholar and biographer) would seem to have gone into the highest attic and the most remote closet in order to complete the Lawrence canon, with the result that the greater portion of what they print can be of interest only to the absolute zealot, the devotee of Lawrence who wants everything.

There is nothing in the new volume to rival the two great pieces of the earlier one: the *Study of Thomas Hardy*, which is perhaps Lawrence's fullest and most eloquent statement of what he thought fiction should do and be about, and the *Introduction to These Paintings*, a marvelous if highly idiosyncratic and not quite trustworthy essay on Cezanne, modern aesthetics and painting as sensual experience. And there is nothing to equal the beautiful fragment of a very straightforwardly autobiographical novel, *The Flying Fish*, which Lawrence wrote towards the end of his life and left unfinished.

The fiction in *Phoenix II* is nearly all very early and almost all of it shows Lawrence in his clumsiest, most self-conscious or most eccentric manners: "Her skin was of that peculiar transparency often noticed in vegetarians or idealists." There is, however, a fragment of an early version of *Women in Love* which is of some interest because of its more intense and narrow interest in homosexuality than the book was later to have, and a translation of Bunin's *The Gentleman from San Francisco* which gives some very Lawrentian turns to the Russian's prose.

Even the familiar kind of occasional essays, usually short and hortatory (although both books contain several long, discursively lyrical ones) of which Lawrence wrote so many – on love, sex, men and women, mores, the horrors of industrial society, the need for a new morale in modern life, the decline of the heroic spirit, and so on – are for the most part distinctly inferior in the new book to most of the ones in *Phoenix*.

Or at least they feel inferior when they aren't actually so; and this is in the first place because they offer nothing new or divergent or incremental, they are so squarely within the main channels of Lawrence's extra-imaginative literary activity that to anyone who knows his work at all everything seems to be echo and repetition. Do we really want to hear this kind of thing again:

> ". . . the blood has a perfect but untranslatable consciousness of its own, a consciousness of weight, of rich, down-pouring motion, of powerful self-positivity. In the blood we have our strongest self-knowledge, our most powerful dark conscience."

Or this:

> "The discrediting of the heroic effort has almost extinguished that effort in the young, hence the appalling 'flatness' of their lives. It is the parents' fault. Life without the heroic effort, and without *belief* in the subtle, lifelong validity of the heroic impulse, is just stale, flat and unprofitable."

But even imagine someone coming to Lawrence for the first time through this book. He would see heavily on display that side of Lawrence which argued and condemned and cajoled, in the interests of making his prophetic weight felt at once and, less grandly, of converting the soul's experiences and findings into what we might call a civic and publicly instrumental value. There was a Hyde Park aspect of Lawrence, a street-corner speaker's embittered fervor; apart from these direct essayistic expressions of it – *Is England Still a Man's Country?*, *Men Must Work and Women as Well, Enslaved by Civilization* – it crept into almost all of his imaginative writing, although least into the poetry and some of the short stories. Would encountering this prophetic and hortatory side of Lawrence be for the newcomer a source of inspiration, ideas about the age, programs, policies, emotional armament or

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imaginative extension? I don't believe so; it is the most striking effect of this new collection that it allows us to see how Lawrence's "ideas" have lost so much of their relevance, and especially how when they are come upon outside the transfiguring atmosphere of his imaginative work they shine with a peculiarly flat, harsh and dated light.

Lawrence stood and spoke at a point in our history when the sensitive and sentient self had all the data on modern industrial society before him. In face of the evident "dehumanization," the estrangements and deracinations of contemporary life, his was actually a late protest and a most extreme one. More than any of his contemporaries Lawrence refused to be content with creating counterstatements and counterlives through the imagination, but also threw himself into furious action on an immediate public level of indictment and prescription. It was public, but it was not, however, political; it never looked to any kind of revolution, or even amelioration, that wasn't internal, private, a matter of the self's regeneration through its own recovered passion, or else a matter of a sort of tribal, unconscious general renaissance.

Like Yeats, Pound and others, Lawrence hated modern democratic political life, which he saw as leveling, statistical and reductive – "Long live the bottom dog! May he devour us all," he writes in an essay in *Phoenix II* – and it is this hatred of politics, of politics as both arena and potential deliverance, that as far as it affected his imaginative writing could help raise it to high plateaus of intense visionary aesthetic awareness but, as it entered his thought, served to fix it in time and arrest it there.

For time has brought politics back, brought it round to where the sentient and sensitive self has got to deal with it again, after the historical escape from politics of the years before and after World War I, when Lawrence was speaking. The Western artist-Prometheus, even the Western cultured Self, is no longer a tenable persona; art may be no more possible to create out of political motives, or more useful for political purposes, than it ever was, but politics – the actual physical state of the world – has seen to it that the artist is no longer the man concerned, publicly, with the quality of personal life at the expense, as it always turned out in the extra-literary sorties of writers like Lawrence, of men in general.

A very strong and remarkably undisguised hatred and contempt for "average" men, for men in society and in their practical concerns, runs through this new collection:

> "The infinite number of little human egos makes a mosquito marsh, where nothing happens except buzzing and biting, ooze and degeneration.
>
> "Man, of course, being measure of the universe, is measured only against man. Has, of course, vital relationship only with his own cheap little species. Hence the cheap little twaddler he has become."

In part this strain in Lawrence represents that conventional war with the bourgeoisie and with middle-class values and notions of experience that was so crucial a component of one's standing forth as an artist a generation or so ago and that of course crops out in one form or another today. But for Lawrence, unlike for Marxists or for non-programmatic critics of society who are asserting themselves today, *all* life that wasn't intensely personal, "heroic," mystically fed by blood-consciousness, vigorous and deeply sexual, was middle-class. And one of the things this meant was that Lawrence had no sense whatever of any identity or possible alliance with the victims of middle-class hegemony, the proletariat, minorities, the poor, the disaffected. Lacking that, to be interested in politics at all meant for him the nostalgia of aristocratic and presumed heroic epochs:

> "How much better it must have been to be a colonial under Napoleon than to be a Marshal Foch! Oh! How much better it must have been to live in terror of Peter the Great – who was great – than to be a member of the proletariat under comrade Lenin: or even to *be* comrade Lenin."

Astonishing remarks follow from this attitude: On the ebbing of the British

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imperial spirit:

> "The same story everywhere. A man is building a railway with nigger labour. Some insolent Jamaica nigger – British subject, larger than life – brings a charge against his boss. Solemn trial by the British, influence from the government, the Englishman is reprimanded, and nigger smiles and spits in his face."

On power (Lawrence is talking about something mystical and spiritual, but a certain kind of reader would not be):

> "But every man, in the struggle of conquest towards his own consummation, must master the inferior cycles of life, and never relinquish his mastery. Also, if there be men beyond him, moving on to a newer consummation than his own, he must yield to their greater demand, and serve their greater mystery, and so be faithful to the kingdom of heaven which is within him, which is ordained by conquest and by loyal service."

On material poverty:

> "Poverty too often is only the result of *natural* poorness, poorness in living vitality, poorness in manhood: poor life, poor character."

The point about these quotations is not that Lawrence could sound like Houston Stewart Chamberlain or Barry Goldwater, but that he is unable now to sound like any sensitive voice of the present, any voice which political reality has informed with a complex sense of the terrifying inadequacy of our traditional moral or aesthetic judgments of social phenomena. In his unassuageable quest for something to replace the shattered bases of previous belief, to replace Christianity with something better than the democratic ideal, Lawrence erected a religion of his own, that cult of passionate consciousness and dark fecund gods and sun-worship. Traditional Christianity has failed, as it is beginning to know within itself, but Lawrence's alternative has simply been made irrelevant. It is not going to change or inspirit anyone to hear words like these at this stage of our crisis:

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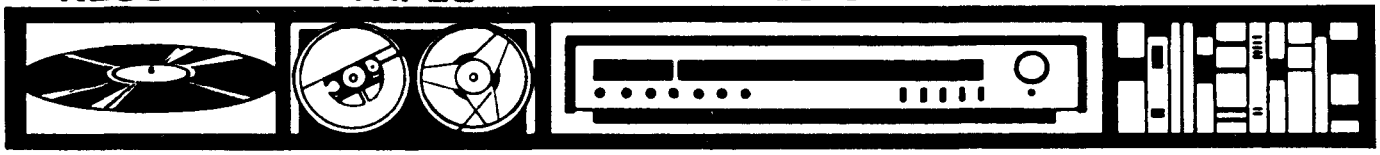

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"Bah! Enough of the squalor of democratic humanity. It is time to begin to recognize the aristocracy of the sun. The children of the sun shall be lords of the earth."

Lawrence could be as ridiculous as this time after time, yet he also knew, in his humbler moments, that as an artist he had no special competence in political areas. "The time of change is upon us," he writes in an essay in the new book, "and we are frightened. Because change hurts. . . . The great social change interests me and troubles me, but it is not my field. I know a change is coming – and I know we must have a more generous, more human system based on the life-values and not on the money-values – but what steps to take I don't know. Other men know better. My field is to know the feelings inside a man, and to make new feelings conscious."

Much the best piece in *Phoenix II*, as the editors indicate they too feel, is Lawrence's *Introduction to Memoirs of the Foreign Legion*, by Maurice Magnus. Lawrence, we learn, once spoke of it as his finest piece of writing, and if it is scarcely that it is very good and wholly convincing. And it is about new feelings.

Magnus was an American whom Lawrence met and befriended, reluctantly, because Magnus was a rather obnoxious little man, a scruffy soldier of fortune who sponged off everybody he met. After his death Lawrence wrote the introduction to Magnus' book about his Foreign Legion experiences, which he also had helped to get published. It is surely one of the strangest introductions ever written, a critique of the writer instead of the book, and of the writer as a man not an author. For Lawrence, Magnus was significant because he combined in his person the most repellent qualities with a strange kind of courage, a capacity to survive in the face of heavy odds. Writing just after the War, which he desperately loathed, Lawrence saw Magnus as another kind of hero than the sterile victims of the holocaust:

"M. went where I could never go. He carried the human consciousness unbroken through circumstances I could not have borne. It is not heroism to rush on death. It is cowardice to accept a martyrdom today. That is the feeling one has at the end of Dos Passos' book. To let oneself be absolutely trapped? Never! I prefer M. He drew himself out of the thing he loathed, despised and feared. He fought it, for his own spirit and liberty. He fought it open-eyed. He went through. They were more publicly heroic, they won war medals. But the lonely terrified courage of the isolated spirit which grits its teeth and stares the horrors in the face and *will* not succumb to them, but fights its way through them, *knowing* it must surpass them: this is the rarest courage. . . . I am grateful to him, he beat out for me boundaries of human experiences which I could not have beaten out for myself. The *human* traitor he was. But he was not traitor to the spirit. In the great spirit of human consciousness, he was a hero, little, quaking and heroic: a strange, quaking little star."

To be able to see this kind of heroism in the little "ratlike" man required nothing less than new feeling. And it was what Lawrence could create and pass on to us, whenever he had his eye on some real thing or true possibility, and wasn't simply blustering in the effort to make one.

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Du Bois as Prophet

by Martin Duberman

The Autobiography of W. E. B. Du Bois
(International Publishers; $10.00)

In terms of the external patterns of his life, it is impossible to write of W. E. B. Du Bois as a representative figure in Afro-American history. In terms of his ideas, it is impossible not to.

His personal history is hardly that of a black Everyman. Born in 1868 in Great Barrington, Massachusetts, he was descended on his mother's side from Tom Burghardt, who was brought by Dutch slave traders to the Hudson valley around 1740 and whose service in the army during the Revolutionary War brought freedom for him and his family. On his father's side, Du Bois was descended from French Huguenots who migrated from Flanders to America more than 300 years ago. At the end of the 18th century, a Du Bois either married a free Negro woman or took a slave as concubine, and the descendants of that union were white enough to "pass." One of them, Alexander Du Bois, W.E.B.'s grandfather, was given a gentleman's education at Cheshire School in Connecticut and then – symbolism begins early in Du Bois' family history – was apprenticed to a shoemaker.

Alexander was a stern, hard man who secretly wrote poetry ("stilted, pleading things from a soul astray," comments his grandson), sired four children and, in his domineering way, proved a poor parent to all four. The fourth, Du Bois' father, bent, as Du Bois eloquently describes it, "but did not break – better if he had. He yielded and flared back, asked forgiveness and forgot why, became the harshly-bold favorite, who ran away and rioted and roamed, and loved and married my brown mother." Soon after the baby William was born the couple split up; under the urging of her relatives, Du Bois' mother refused to join her husband in Connecticut where he had

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gone to establish a home, and so William never saw his father again. He grew up with his mother's family, the black Burghardts of Great Barrington.

His childhood was in no way typical of the experiences of most black youths of his day, for he had almost no personal encounter with segregation or even prejudice. There were only a few dozen blacks in a population of 5,000 and most had lived in the area for generations; the Burghardts were among the oldest inhabitants of the valley. Young Du Bois' schoolmates and friends were white, he joined freely in their games, was continually in and out of their homes and grew, like his companions, to associate poverty and ignorance not with the blacks, but with the recently arrived Irish.

In his condescension towards the Irish, as in so much else, Du Bois was the typical New England product of the late 19th century. He believed, above all, that success in life was in direct proportion to ability and hard work; property and ancestry might influence one's standing to some degree, but color would not. He absorbed, too, the New England definitions of good form and sound thinking. Volubility, emotionalism, dishonesty and ostentation were vices. Frugality, candor, control and earnestness were virtues. Christian dogma, the rightness of all things American and the inevitability of Progress, comprised the substance and the boundaries of acceptable opinion.

Du Bois grew into the familiar Yankee mold, into that unappetizing yet somehow admirable figure, the fastidious man of character. He never lied, drank alcohol or consorted with women. He believed that the sort of person a man became was far more important than what he knew or what he accomplished. He believed that Truth could be scientifically established, that rationality was man's distinctive attribute and tireless work his surest path to redemption. He had never heard of colonialism or imperialism; he knew nothing of the history of Europe in Africa, of the slave trade which had helped to fuel the industrial revolution, of the rivalry among white nations for the control of raw material and labor. His hero was Bismarck.

As he grew older, Du Bois gradually discarded the intellectual assumptions of his New England upbringing, but

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the region's style remained forever engraved upon his personality. By his own description, he was a man always slow to make friends and always quick to speak his mind; his deep reserve put a distance between himself and others which a biting tongue made wider still. He was readily respected for his integrity, for the brilliance of his mind and the polish of his manners, but he was not readily loved. He was, in short, a New England Brahmin.

About a third of Du Bois' *Autobiography* is devoted to his New England youth and this constitutes, from a literary and psychological viewpoint, the most compelling part of the book. Lyric in tone, rich in detail, it is a wonderfully evocative account of life in a New England town of the late 19th century. Du Bois' achievement in recreating the period and its people is the more remarkable when we realize that the *Autobiography* was completed in his ninety-first year.

The larger part of the *Autobiography*, concerned with Du Bois' adult life, is less engrossing, though valuable for the new detail it provides on the various milestones of his public career. The book is especially rich in information on his confrontation with Booker T. Washington at the turn of the century, and on his role as a founder of the NAACP and as longtime editor of its journal, *The Crisis* (in this last regard, Du Bois' comments on Walter White's leadership of the NAACP are of particular interest: White was "one of the most selfish men I ever knew. . . . He seemed really to believe that his personal interests and the interest of his race and organization were identical.") On one episode, Du Bois' unfavorable reactions, to Marcus Garvey's movement of black nationalism in the 1920s, the *Autobiography* is disappointingly sketchy; it does not make clear whether Du Bois, champion even then of "Pan-Africanism," was put off by particular ideological differences with Garvey or only by the latter's "lower class" life style and appeal.

Though Du Bois' personal narration of public events is well worth having, it does not provide the materials nor suggest the need for any large-scale reevaluation of Afro-American history; on the contrary, it corroborates rather than alters the general lines of our previous understanding. The same can be said of what the *Autobiography* reveals of Du Bois' own ideological progression. It fills in some details in the story of how a man who remained a New Englander in temperament was gradually, through his growing consciousness of color, weaned from the region's philosophical premises. But it does nothing to change our view of Du Bois as a man of paradox, nor to clear up any of the particular ambiguities in his thought. August Meier's fine study, *Negro Thought in America, 1880-1915*, laid bare the ambivalent attitudes central both to the man and to the protest movement he so often represented. The *Autobiography* confirms Meier's analysis without adding any new dimension to it. What it does do is give additional proof of the confusions produced in both the man and the movement by, as Du Bois himself phrased it, a sense of "two-ness," a dual identification with the Negro race and with the American nation.

For at least a hundred years, the Negro protest movement has shifted, as a result of that "two-ness," between conflicting goals. In periods of discouragement, when white resistance to equality has been pronounced, the black community has turned from the goal of integration to that of racial solidarity, self-help, the development of separate institutions and, in times of profound helplessness, to actual emigration. During one such period a black man wrote he wished the United States "nothing but ill and endless misfortune" and only hoped he would live to see it "go down to ruin and its memory blotted from the pages of history. A man who loves a country that hates him is a human dog and not a man." Those lines were written not by H. Rap Brown in 1968, but by Henry M. Turner, bishop of the A.M.E. Church, in 1892.

It will not do to caricature Du Bois' idiosyncratic life by making of it a mere emblem of the Negro's struggle. There are too many ways in which Du Bois stood apart from the main stream of Negro thought – particularly in his elitest call for leadership by the "talented tenth," and in his Marxism (Du Bois died a confirmed Communist after having gone into self-imposed exile and having become a citizen of Ghana; by far the worst parts of the *Autobiography* are his mindless defenses of Soviet and Maoist societies, where "every opinion" is expressed and listened to, where "universal goodwill and love" are everywhere apparent). Yet in a lifetime lasting 95 years, Du Bois did embody most of the significant ideological twists and tactical turns of the Negro protest movement. This is especially true of the way in which his call for total integration alternated with his call for voluntary segregation.

His attraction to separate Negro institutions, particularly in the economic sphere, reflected his fear that the mass of his people would never be allowed to participate fully in American life. He admits in the *Autobiography* that the Supreme Court decision in 1954 surprised him; he had not believed so substantial a victory against legal discrimination could be won so soon. Nonetheless he recognized – far in advance of most people – that for some time the victory would be in name

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only; it would take, he warned, 25-50 years before white Americans would abide by the Court's decision. In the interim, Du Bois argues, Negroes must undertake an "inner cooperative effort"; they must not make the mistake of the German Jews who "assumed that if the German nation received some of them as intellectual and social equals, the whole group would be safe. It took only a psychopathic criminal like Hitler to show them their tragic mistake. American Negroes may yet face a similar tragedy. They should prepare for such an eventuality." In sounding such a note, in calling on the Negro community to prepare its defenses through group cooperation, Du Bois prefigured by at least five years (the *Autobiography* was completed in 1960) the line of thought that has culminated in the philosophy of Black Power.

Nor is this the limit of Du Bois' prophetic powers. Other threads in his thought, those intimately related to his call for racial solidarity, are likewise finding new emphasis today: an identification with Africa, a stress on the distinctive qualities and achievements of Negro culture, a rhetoric that frequently hovers on the edge of reverse racism. Like his latter day counterparts in SNCC and CORE, Du Bois made mystic references throughout his life to the Negro's inherited qualities of sensuousness, rhythm, humor and pathos, and spoke of the Negro's duty to maintain his racial integrity so that he might fulfill his special mission to humanity. In his fury at white racism, in his determination to give his people the psychological weapons needed to defend themselves against white slander, Du Bois, like Rap Brown after him, sometimes resorted to the very terminology he ordinarily denounced, to that insistence on innate racial differences which in other moods he railed against so bitterly, and so justifiably.

Which perhaps only proves what the majority in this country has for so long denied: that Afro-Americans are, above all, Americans. Brought up in a racist culture, they, too, will sometimes exhibit symptoms of racism. When whites have for centuries hurled the thunderbolt of Race at blacks, it should come as no surprise that some blacks would finally learn to harness the lightning, to hurl back their own fiery slogans of negritude.

Evelyn Revisited

by Honor Tracy

My Brother Evelyn & Other Portraits
by Alec Waugh
(Farrar, Straus and Giroux; $5.95)

The main interest of this chatty, unequal book lies in the 36 pages devoted to Evelyn Waugh. Of the other considerable authors with whom, often merely as the result of being a publisher's son, Alec Waugh came in contact he says little that is illuminating and much that we already know. Who, for example, really wishes to hear again of the cropper Gosse came with his *From Shakespeare to Pope*, of the quirks and kinks of Somerset Maugham or of the assassination, by Maugham's pen, of Hugh Walpole in *Cakes and Ale*? As for the rest, some are so minor as hardly to warrant a mention. Mr. Waugh devotes several pages to Desmond Coke (1878-1931) and the difficulties he experienced in writing his obscure and long-forgotten novels; yet omits the one real point of interest, namely that it was Coke who wrote the famous lines usually misquoted as "all rowed fast but none so fast as stroke" and inevitably, ineradicably, ascribed to Ouida. In fact, the book is not so much a series of profiles as a collation of sketches, anecdotes and reminiscences, the raw material of an autobiography.

But some of the notes on the brilliant complex Evelyn are fascinatingly unexpected and cut clean across the popular legend. Evelyn Waugh figured, made a point of figuring, as the prime conservative, devoted to the past, the old order, the patrician values and virtues: he was full of rancor against the new, the upstart and the self made. The love of titles, ancient families, long traditions, great houses, that in some

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quarters earned him the name of arch snob, might also be interpreted as the expression of an extreme romanticism. The attitudes he struck would then be the result of a craving to identify himself with the vanishing world he loved. His entry into, and obsession with, the Catholic Church could be explained in the same way. In the preface to the revised trilogy of army novels he tells us how, without intending it, he had also written an "obituary of the Roman Catholic Church as it had existed for many centuries in England. All the rites and most of the opinions here described are already obsolete. . . . It never occurred to me, writing *Sword of Honour*, that the Church was susceptible to change.". Many Catholics have been dismayed, even embittered, by the innovations of recent years, and none more so than the romantic, nostalgic convert.

We seem then, on the face of it, to deal with a man born out of his true environment. Such things are not uncommon, and there may be suburban writers who ought to have been landed gentry just as there are dukes who belong in the stable. And yet there is something wrong with it all, something off-key. For example, in *Sword of Honour*, the Halberdiers drink an after-dinner toast to their Colonel-in-Chief, the Grand Duchess Elena of Russia, and Waugh goes on to say: "This ancient lady lived in a bed-sitting room at Nice, but she was still as loyally honoured by the Halberdiers as when, a young beauty, she had graciously accepted the rank in 1902." Obviously, she would be: the information is superfluous, and it is not the Squire providing it. It is the family butler, proudly showing hoi polloi over the place, expecting them to gasp and cry "Coo!" Then Lady Granchester hears that her daughter is to marry into the parvenu Metroland family and drily remarks of the future mother-in-law " 'I'm afraid she's far too smart for us.' And by 'smart' Lady Granchester meant nothing at all complimentary." Time and again we come on such underlining of matters that gentlefolk take for granted.

We observe, furthermore, that the upper-class galaxy only come to life when they are behaving as the plebeians would: Jumbo, honored veteran of World War I, cheating and scrounging like any old sweat, Lady Brenda deceiving her husband and buying a fancy man, dreadful Theodore Boot with his bedroom stories. The gorgeous memorable figures are the cads and grotesques, the villains and confidence men. (Incidentally, Alec Waugh makes the peculiar claim that one of the novels' most marked characteristics is the likability of all their characters. Can he be serious? Thirty minutes of Basil Seal in real life would surely be enough, thirty seconds – and that under sedation – of Brigadier Ritchie Hook.) Why are Seal, Apthorpe, Captain Grimes & Co. so vivid? And why is Tony Last such a dummy?

Casually, but once and for all, Mr. Waugh lets the cat out of the bag. On first reading *The Diary of a Nobody*, he says, Evelyn exclaimed in delighted recognition, "But Lupin's me!" – Lupin, the go-getting, vulgar, fast young son of the worthy diarist. The Squire-persona goes up in smoke as we move on: Evelyn wrote his cads from inside but peered at Tony Last through the Big House window.

Of course this is only part of the truth, but a revealing part, and one that makes him more interesting still and, oddly enough, more sympathetic. Sometimes his shafts, coming as they did from one who incessantly harped on his Christian belief and being apparently due to class hatred and want of compassion, seemed ferocious to the point of nastiness; but once we realize it is poor old Caliban raging at what he sees in the mirror, the case is altered. The melancholy and misanthropy of Evelyn's later life may not, after all, have been due to resentment of social change or at lost privilege: it may equally well have been the despair of one who has come to know himself for what he is, a passable,

NOTES ON CONTRIBUTORS

Martin Duberman *is author of the play* In White America. Honor Tracy's *latest book is* Men at Work. Norman S. Care *teaches philosophy at Oberlin College.* Don McDonagh *writes on dance for* The New York Times *and other publications.*

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faintly absurd imitation of all that he loved and admired. Some duke was quoted to me as having grumbled about "that little bounder Waugh, always dancing round one and pretending to be one's equal." Five minutes after hearing the story I had forgotten the duke's name, just as probably few will remember which other duke it was who sneered his "scribble, scribble, scribble, eh, Mr. Gibbon?" And show your hand anyone who can name the aristocrat who thrashed Voltaire. Yet one feels that Waugh would have given up talent, fame and wealth to be some such exalted nonentity; and the fact that it was not to be done may have been the grit that produced the pearl.

Still at It

by *Alexander M. Bickel*

This little volume is not, as it calls itself, so much a positive appraisal of the Warren Report as a devastatingly negative appraisal of most of its critics. Mr. Sparrow is Warden of All Souls College in Oxford. He was trained as a lawyer, and the mindlessness of such writers on the Kennedy assassination as Mark Lane, Léo Sauvage, Joachim Joesten (whose work is better known – if that is the word – in Europe than here), Harold Weisberg, and Richard Popkin has set his teeth on edge. He is also astounded, as well he might be, by such a leaping non sequitur as Andrew Kopkind, writing in the *New Statesman*, has permitted himself. "If the Warren Commissioners are exposed as merely hapless dupes," says Mr. Kopkind, "other doubts about American history during the last two decades become more pertinent. Was the Rosenberg case also a fraud? . . . Was the whole US position on the origins of the Cold War fraudulent?"

After The Assassination:
A Positive Appraisal of the
Warren Report
by John Sparrow
(Chilmark Press; $3.95)

The arguments of the critics whom Mr. Sparrow classifies as demonologists do not withstand analysis, as this lucid and concise essay, first published in the *Times Literary Supplement*, shows. Others before Mr. Sparrow have demonstrated this, though not with as much elegance, and yet these critics continue to find an audience. Perhaps they would not, or would not so readily, if the Report of the Warren Commission itself withstood analysis a little better than it does, and if we weren't now inescapably aware that the Commission's investigation was more hurried than relentless, more question-begging than exhaustive. There is no indication that Mr. Sparrow would necessarily disagree with such an assertion, but he forbears from making it, and is content, "while accepting the *bona fides* of the Commission," to allow for the possibility "that something must have slipped through the meshes of their investigation . . .," and that Oswald might have had a single accomplice. That is being a bit easy on a Commission which was unable to reach unanimous agreement on the hypothesis central to its explanation of the event it was investigating – the theory that one of Oswald's shots hit both President Kennedy and Governor Connally – and papered over this gaping crack by pretending that it was "not necessary to any essential findings of the Commission to determine just which shot hit Governor Connally. . . ." Certainly, as Mr. Sparrow briefly suggests, there are alternative hypotheses consistent with Oswald's guilt, and even with his being the lone assassin, but they present difficulties of their own, and the Commission never pursued them.

Mr. Sparrow, who it should be repeated, is not merely elegant and concise, but almost always disinterested, perceptive and fair, naturally treats Edward Jay Epstein's book *Inquest* as a very different article from the works of Mark Lane and the rest. But he gives more weight than is justly due to a prissy critique of Mr. Epstein's book by Professor Arthur L. Goodhart of Oxford, which appeared about a year ago in the English *Law Quarterly Review*. Mr. Epstein, who inquired into the Warren Commission's working methods as well as into the results it announced, interviewed a number of the Commissioners and members of their staff. Mr. Goodhart checked with some of the same people in an effort to discredit Epstein. He got from them some denials and some charges of misrepresentation, none of which, however, with a single exception, affect Epstein's findings, or throw any real doubt on his credibility as a reporter.

Nothing, after all, is more common than people recoiling from what they said in informal interviews when they see it in print, and particularly when they see the inferences that have been drawn from their statements. Most of the denials Mr. Goodhart obtained amount to expressions of dismay at the conclusions Mr. Epstein drew. But those conclusions are not refuted by reference to contrary opinions still held by people who supplied Mr. Epstein with some of his basic facts. Mr. Goodhart did catch Mr. Epstein at quoting J. Lee Rankin, the Commission's General Counsel, out of context, and drawing an unwarranted conclusion from the statement. But the statement is not a factual one, nor is Mr. Epstein's conclusion a factual inference; it is more in the nature of a surmise about motives and attitudes. And so one regrets that Mr. Sparrow takes the Goodhart criticism at full face value; it is the only weak spot in his terse, intelligent critique.

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The Politics of Radical Pressure

by Norman S. Care

Arnold S. Kaufman is a professor of philosophy who has been active in teach-ins and civil-rights efforts in recent years. He offers here not a book of philosophy but one of political strategy based upon a traditional political philosophy. In the face of rejection in activist circles, of the term "liberal" in favor of the more ominous "radical," Kaufman proposes a "politics of radical pressure" as precisely what is needed to secure the traditional aims of liberalism.

The Radical Liberal
by Arnold S. Kaufman
(Atherton Press; $5.95)

He develops this new politics by contrasting it with certain other political styles that are sometimes designated "liberal," namely, the politics of "pseudo-realism" and of "self-indulgence." The trouble with the former is its excessive regard for what are called "political results," while the trouble with the latter is precisely its lack of concern for such results. Kaufman's excellent critique shows that the title "liberal" is wildly misapplied to pseudo-realism, which is the deluded stance of the administrator who believes that politics is somehow amoral and that its processes should be conducted in the light of morally uncontaminated "facts." After noting that the language in which such facts are expressed is already shot through with evaluative terms, and hence a vehicle of "internal prejudices," Kaufman rightly points out that the upshot of this stance is too often the "feasible compromise" in the name of political results that in fact squander human rights and potentialities. On the accurate assumption that liberalism is at base a moral theory, it follows that such realism fails to qualify as one of its forms.

If pseudo-realism is often the actual politics of those establishment figures who give lip service to liberal aims, then self-indulgence is often the politics of their most visible critics, students involved in civil-rights movements and in protest activities directed against our presence in Vietnam. Kaufman intends to be generous to these young people, for their capacity for sustained political involvement "is to be valued – no matter how it happens to be packaged." But it remains true that the no doubt sincere moral stance in this case brings with it a willingness to sacrifice political success for the sake of "authenticity." The upshot of legitimate moral concern turns out to be the kind of self-indulgence that results in an unwillingness to act in ways required for the political effecting of basic moral values.

Somehow, then, moral concern and politically effective action must be brought together. "What is needed," Kaufman writes, "is a new breed of indefatigable radicals, passionately moral, yes – but also coldly calculating and unfailingly energetic in pursuit of liberal goals." The immediate aim of the politics of radical pressure is, then, to secure an amalgam of Madisonian and Rousseauan conceptions of democracy, in the form of a system of coalition politics "invigorated by participatory institutions." Its promise, so far as the liberal aims of protection of rights and opportunity for human growth are concerned, lies in the widening of participation in the democratic process beyond the occasional vote for a party candidate. The Poverty Program can be considered an application of the new politics, for in spite of its defects it "will have one achievement of historic significance to its credit. By administrative rule it requires that the poor, whom its programs are meant to benefit, shall have representation on the boards and committees that are authorized to administer those programs. Already liberals are beginning to think of other ways to apply this principle to the administration of public funds."

Kaufman imposes a lenient tactical principle upon the use of radical pressure, "that of using any device, short of open rebellion or revolution, to bring pressure to bear in support of liberal aims. But in any given situation the specific choice of tactics should be decided on the basis of that which effectively, and over time, tends to enable realization of the many values that a liberal seeks to foster."

This concept has the form, "moral ends justify effective means," and these may include "sit-ins, lie-ins, teach-ins, protests, civil disobedience, cooperatives, tent cities, freedom parties, petitions, legal action, poor people's corporations, community unions, mass rallies, wildcat strikes," or other "surrogates for socially accepted forms of participation," when necessary in given circumstances. Someone might object, I suppose, that this notion is open to abuse, for surely effective means might on occasion be morally repugnant. But Kaufman would, I think, construe "effective" in such a way as to preclude as normally ineffective those means which would blatantly violate moral sensibilities. This seems in line with his remark that "there is no substitute for coldly reflective calculation based on knowledge of the concrete situation and comprehensive grasp of the entire range of liberal values we should seek to move toward."

Kaufman brings all this to bear on such matters as the direction of the civil rights movement, the structure of higher education, and our involvement in Vietnam. His conclusions are uniformly instructive, not least for the fact that they counter the views of many who would object to them in the name of liberalism itself. He argues, among much else, that the Black Power movement should be supported, as should the trend toward greater "student power" in universities, that higher education is a right not a privilege, and that liberal education is itself essential to anything that goes under the label "higher education," whether its practical aim be vocational, technical or professional. He is optimistic in

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a qualified way that there can be effective protest of a nation's foreign policy by its people (something many of us have come to doubt) and that the university can properly function as an agent of social criticism in this connection.

The point of Kaufman's characterization of current establishment politics as psuedo-realist should not be misconstrued. Some will no doubt read and dismiss it as an exhibition of paranoia. That would be a silly form of lay psychoanalysis. I take it that Kaufman is not concerned so much as his text might indicate with the "internal prejudices" per se of men in power, but rather with the nature of the system we have evolved and about the abuses it allows in principle. It now permits abuse in the form of "leaders" of unrepresentative coalitions working for what they may sincerely believe is in both their own and the public interest, but in such a way that the needs and interests of those affected by their actions are not met. Hence Kaufman's emphasis on "participatory institutions" at the earliest stage, when coalitions are forming whose business it is to be politically effective.

Ultimately, Kaufman's program would have the effect of relocating political power in people as they engage in participatory institutions, rather than, as is now the case, in near-autonomous leaders of unrepresentative coalitions and parties. The prospects for securing liberal aims would then rest squarely on the soundness of the people. I doubt if Kaufman would claim that this would guarantee less squandering of human rights and potentialities. That would depend on the people in question, on what they chose, or, more exactly, what their knowledge, will, and passion allowed them to choose. But it is plausible to suppose, especially in the light of Kaufman's recommendations for education, that our prospects would be better with his plan than they are now. What remains tragically in question, as trust narrows in this nation in proportion to the increase in the burden of a morally outrageous war effort, is whether or not even the most careful use of radical pressure will be tolerated by a people already driven to suspicion of the motives of political action in any form.

DANCE

Second Avant-Garde Generation

Modern dancers and choreographers at one time didn't care what you wore as long as it wasn't dancing shoes, but recently the vanguard has been growing permissive to the point of heresy. Modern dancer Twyla Tharp has taken to ballet slippers in a number of works, "I think it's political to insist on bare feet and I like a fast floor," and Meredith Monk, with whom she shares the leading edge of new dance, was recently seen in toe shoes on slightly wobbly point. Other than their disregard for hallowed modern dance tradition they have little in common, except the consistently interesting pattern of their work.

After the initial surge of avant-garde dance that began in 1962 at Judson Church in New York had petered out sometime in 1964 or 1965, depending on whose departure you consider critical, there was a quiet period spent consolidating artistic gains. In 1965 Miss Monk made her appearance after being suitably heralded on Channel 13 as an up and coming choreographer and immediately proclaimed her artistic arrival with an autobiographical solo, "Break," performed to the sound of her own grunts and a tape collage of auto bodies being dented, buckled and torn.

Toward the end of 1966 Twyla Tharp, who scarcely ever uses sound accompaniment of any kind, began her own choreographic career, after leaving the Paul Taylor company, with a concert that demanded the hushed attention one usually reserves for the operating theatre. It quickly became apparent that, first, these two were the most

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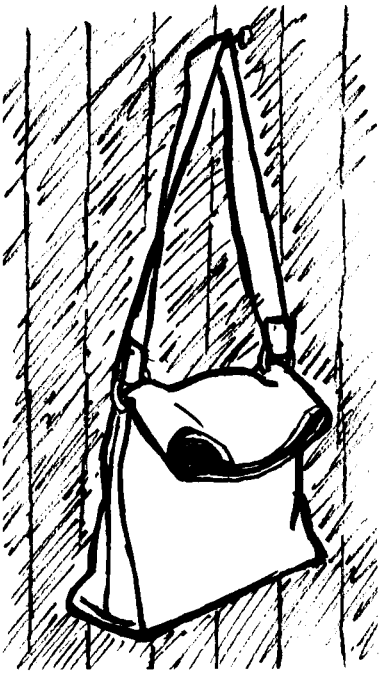

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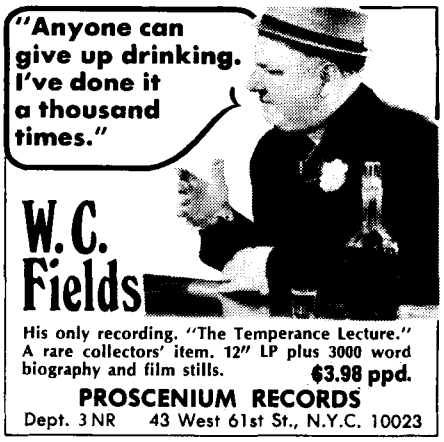
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promising choreographers of the second avant-garde generation and second, that they were pursuing totally independent paths.

Miss Monk has hewn to the intermedia combination of poetic dance, prose movement, film, sound, sculptural, theatrical and environmental effects that were the most interesting seeds sown by the original Judson dance theatre group, and Miss Tharp has moved on the road of pure distilled dance movement which is its own artistic justification. Last month she further explored these possibilities in a breathtaking concert at Wagner College gymnasium on Staten Island.

Touring dancers, both modern and ballet, have of necessity over the years played in college gymnasiums for want of proper theatres but Miss Tharp is one of the few who actually prefer the vastness of a basketball court to the intimacy of a proscenium stage. She would probably find the New York State Theater's large 58x56 performing stage inadequate to her current needs. She certainly finds Judson Church no longer adequate. "We went back to Judson," she says, "to work on the new piece 'Generation' and found ourselves bumping into one another all the time." The Twyla Tharp company at present consists of five girls, Miss Tharp, Theresa Dickinson, Carol Laudenslager, Sara Rudner and Margery Tupling, who render Miss Tharp's ultracool choreography with the seraphic detachment of chaste integers.

"Generation," Miss Tharp's most recent and longest piece, runs 28 minutes, during which the five girls, who are dressed in silver costumes, perform a series of simple exercises and remain holding poses for long periods of time. Each girl's costume is exactly the same glamorous coverall but executed in a slightly different silver texture, running from the palest to the most shiny, hard-surfaced silver cloth that can be found.

The girl in the palest silver costume, who is lying on the floor when the dance begins, stumbles and falls quite a bit before joining the others. At the end the girl with the highest degree of polished cloth is lying on her back with the others posing around her. Between the opening and the close one generation has ascended and another has declined. There is, however, no sense of anxiety or sadness; like the life one would observe under a microscope, it is the way things are.

Emotion generally, is banished or muted to the point of deadpan invisibility in all of Miss Tharp's works. Many of the pieces in her repertory which she suspects offer easy audience accessibility have been retired in favor of the ultracool and purist works she now favors. Her attitude toward audiences is that they should be seen and heard but never pampered.

Her choreography is made up of a relatively restricted palette of movements, fast turns, sustained attitudes, etc., which she uses at length in endlessly fascinating combinations. Superficially resembling the choreography of Merce Cunningham, hers lacks his sustained lyrical drive and stems more directly from the tightly controlled and economical style of Paul Taylor. Her upper body and arm movements particularly resemble Taylor's, with whom she used to dance. Like her choreography, her costuming is kept simple. At present, her husband, hard edge painter Rober Huot, is creating a beautiful and restrained series of costumes that perfectly suit her choreography.

Miss Monk, on the other hand, is likely to put on anything for one of her performances. Her most recent piece, "Blueprint (1)" and "Overload/Blueprint (2)" which was actually one work with a month between its two parts, found Miss Monk variously wearing a tutu, toe shoes and sunglasses, black leotards and, on film, a pink shift a la Isadora. During the course of the programs she was resolutely silent and uncommunicative in "Blueprint (1)," where she and fellow performer Alfred North sat silently in chairs below street level at the Judson Gallery. Finally they stood and walked out of the performing area making an unhurried escape, to become visible fully a month later in the second part of the program, "Overload/Blueprint (2)." The titles of the pieces seemed to refer as much to the program diagrams, which assigned spectators to their places in the performing areas, as to an identification of the pieces and the performers.

The second part of the work took place in Judson Church proper and in the gymnasium underneath the meeting room. Upstairs, Miss Monk did a credible "Dying Swan," sang or rather screamed into a microphone and had it recorded, played a few random notes on the church organ and carried a naked baby out of the hall, after doing a solo in bare feet. Downstairs, she seated herself in a rocking chair, had her scream played back and walked diagonally across the gym with the other performers. She had a film of a window being opened projected on a real screen which she was opening, thus casting some doubt on which was the "real" event. Finally she showed a film of some energetic and struggling microscopic life, and then ran out of the hall. In all of these little engagements her purpose was to break out of the set situation in a liberating drive for freedom. On the way she produced the ambiance of a seething restlessness passing from one set of confinements into another which must be surmounted.

Miss Monk dances in recognizably modern and ballet styles, walks, sits, incorporates the simple gestures of day-to-day existence and uses every possible device of movement to advance the thrust of her choreographic intent. For this program, she also sang very credibly, a rock and roll tune, "Candy Bullets and Moon," which she performed with Don Preston under the name of "Aunt Jemima and The United Pancakes," did the lighting design and shot a few hundred feet of film which she edited into usable footage. The whole performance was a tour de force by a powerful sensibility reaching for any and all means to frame her vision of the world she lives in, and it had a supremely enjoyable theatricality.

Miss Monk and Miss Tharp are currently the twin poles of avant-garde

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modern dance, one incorporating a great range of actions in the delineation of her intent and the other stripping down her very movements to their basic constituents in order to convey her designs. Their strikingly different but highly effective approaches attest to the continuing vigor of the modern dance revolution.

Next summer Miss Tharp will play a series of engagements under the sponsorship of the New York State Arts Council, part of a modern dance program that includes such established companies as those of Merce Cunningham, Paul Taylor, and Alvin Ailey. Miss Monk has staged some dances and environmental pieces at the experimental "212 Group" headquarters in Woodstock, N.Y. and both she and Miss Tharp played in the Youth Pavilion series at Expo '67 last summer. Notre Dame University has very enterprisingly engaged Miss Tharp for a concert in April and Miss Monk is scheduled for another of her "total" and robust epiphanies in New York soon.

Don McDonagh

Correspondence

The New Republic welcomes communications in regard to subjects of current interest. Those of 300 words or less are most suitable for publication.

Military Injustice

Sirs:

"Military Injustice" (March 9) has a statement, "officers are tried by an all-officer court while enlisted men are only entitled to a court composed of one-third enlisted men." . . . On courts-martial on which I have served as member and/or President or Senior Member, the enlisted members, or ex-enlisted members usually asked, when discussing the sentence of a guilty man, "what is the maximum punishment" and invariably such punishment was what they voted.

The fact is that the worst thing that can befall a guilty enlisted man before a court-martial is to have an enlisted man or ex-enlisted man as a member of his court. The theory of course behind the assignment of enlisted men to a court was exactly the opposite; it assumed that enlisted men were necessary on a court to afford a fair trial to an enlisted culprit.

Frank P. Mitchell
Rear Admiral
US Navy (Retired)
Portsmouth, N.H.

The Newark Riot Report's Missing Ingredient

Sirs:

I was somewhat surprised to see myself quoted (March 2) as saying "There has to be a black mayor" in Newark. While I believe some major signs of political change must be seen if the Negro population of Newark is to feel enfranchised in a meaningful way, I do not think a "black mayor" is a necessity. Nor do I think that if there were a black mayor, "The whole city might fall apart."

In general, I'm afraid Mr. Whitehead's analysis is rather wrongheaded. The interesting thing about the New Jersey Commission's report is not that it avoided political factors but rather that it was the first such report which directly discussed these factors.

Harvey D. Shapiro
Princeton, N. J.

Kauffmann, *from page 30*

lated by this collection.

Why was Langlois dismissed? He was apparently a poor administrator and bookkeeper. Malraux's official reply to a question about it in the National Assembly ended with the remark: "Langlois does well what he loves, less well what he doesn't." What a reply – from the author of Malraux's novels! I believe the reports of rooms full of uncatalogued films, of prints that have been permitted to deteriorate. (Although a new film depository was finished the day that Langlois was dismissed.) But the films wouldn't have been there in the first place without Langlois' persuasion and devotion, and I have heard him complain about his difficulties in getting money for preservation. My own few encounters with the Cinémathèque were frustrating: I kept getting prompt promises of cooperation that were not kept. But no matter how often my own experiences might be multiplied, no matter how much executive sloppiness might be truthfully charged, the body of Langlois' accomplishment remains.

What is particularly chilling – and what has importance outside the film world – is what this dismissal implies about the de Gaulle government. An efficient and presumably loyal bureaucrat has been chosen over a less efficient, less controllable zealot, who has thousands of admirers around the world. It raises questions of personal jealousy and of demands for unswerving loyalty.

Whether he knows it or not, every person *everywhere* who cares for films has an indirect but traceable debt to Henri Langlois. I urge filmmakers, film societies, film teachers and students to protest this signal act of ingratitude and cold officialdom. Write to André Malraux, Minister of Culture, Quai d'Orsay, Paris. Send a carbon of your letter to Randall Conrad, 26 rue Daniel-Stern, Paris 15. Conrad is an American resident of Paris who is getting up a petition. Thus if your letter to Malraux is thrown in his wastebasket – and, if so, he must by now have a big one – it will not have been lost.

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And more! The market goes crazy. "Go cook a radish." Mayor Big Bill Thompson finds a man he can't run against, and beat: the King of England, The Black Age of Crime: Hall-Mills, Legs Diamond, Johnny Torrio, Snyder-Gray, Dion O'Banion, Leopold and Loeb, Big Frenchy DeMange, Bugs Moran, Hymie Weiss (every day, without fail, he went to church to light a candle), Dutch Schultz, and the Big Guy himself.

The Era of Wonderful Nonsense. Peaches and Daddy Browning. Shipwreck Kelly, the Luckiest Fool Alive: he wooed a redhead from atop his flagpole, climbed down to marry her. The Rocking-Chair Derby. How crooning was born. C. C. Pyle and his transcontinental walking race, the Bunion Derby.

Idols of the Airwaves and the Silver Screen

Dietrich, Chaplin, Menjou. The Happiness Boys. The Gold Dust Twins. Nita Naldi. Phil Baker. Mabel Normand. Ray Eberly. Young Widder Brown. William Desmond Taylor. Professor Quiz. The Boswell Sisters. John Charles Thomas ("Goodnight, Mother."). Will Rogers. Jessica Dragonnette. Ruth Etting. Milton Cross. Russ Columbo. Myrt and Marge. Gloria Swanson. Jackie Coogan and Betty Grable. Harlow. Eddie Cantor. Jean Goldkette. Walter O'Keefe. William Powell and Carole Lombard. The Andrews Sisters.

The list goes on and on. The Street Singer. Garbo. Barrymore. Fred Allen. Harry Richman. Moran and Mack. Jimmy Fidler. Uncle Don. The Mills Brothers. Ben Bernie (did he and Winchell *really* hate each other?). Just Plain Bill. Annette Henshaw. The Red-Headed Music Maker. Singin' Sam. King Kong. Whiteman. Bing. Hundreds more!

"Vas you dere, Sharlie?" If you vas, it's too precious to let any of it get away. Right now, mail the coupon for your copy of *Remember When*. It's the berries.

TIRED of smog . . . traffic jams . . . repairmen who don't fix it right . . . typists who don't spell it right . . . stores that deliver the dress you never ordered?

We have no Solutions. All we can do is take you back to a saner, better world. And that's no bunk, lounge lizard.

Remember when you froze on line outside the Paramount (35¢ before 12 noon) to catch Benny, when he had Gene and Harry and Lionel in the band?

Remember those dreamy boys at the USO, just in from Iwo Jima, and how hard it was to recall what all the service ribbons stood for?

Did that big bozo at the peephole ever let you in the mahogany door so you could put away a little giggle water? ("Just off the boat – you can still smell the salt water.")

There was Mae West (some bimbo!) murmuring, "When I'm good, I'm very good; but when I'm bad, I'm better." Dizzy Dean and brother Daffy. Knickers. Tea in tin boxes. Dance marathons. Betty Furness on early TV struggling with the vacuum cleaner. Hollywood stars under the lids of dixie cups. "$30 Every Thursday": Senator Downey and his Ham-and-Eggs Crusade. S.A. "It."

Calm your fears – we wouldn't dream of forgetting Wee Bonnie Baker. Babe Didrickson. Bank night. Judge Crater. Starr Faithful. Fibber McGee's closet. Slim and Slam. Goldfish swallowing. Ella Mae Morse. Busby Berkeley. Zoot suits. Miniature golf. Jigsaw puzzles. Fats Waller. Singing song titles. The Ritz Brothers. Two-Ton Tony Galento. "Beat Me, Daddy, Eight to the Bar." Mark Hellinger. Scott Fitzgerald. Aimee Semple McPherson. Sam Goldwyn. The Trylon and the Perisphere. Listening to the radio ("C'mon, Mom, Joe Penner is on").

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